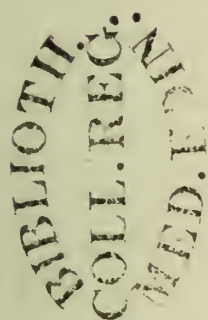


R E P O R T

FROM THE

SELECT COMMITTEE



ON THE STATE OF

THE

P E N I T E N T I A R Y

AT MILBANK.

Ordered, by The House of Commons, to be Printed,
8 July 1823.

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R E P O R T.

THE SELECT COMMITTEE appointed to inquire into the present State of The PENITENTIARY at Milbank; and who were empowered to report the MINUTES of EVIDENCE taken before them;—HAVE, pursuant to the Orders of The House, examined the several Matters referred to them; and agreed to the following REPORT:

YOUR Committee wish, in the first instance, to place before the consideration of the House, the history of the Establishment, into the state and management of which they have been appointed to inquire.—As early as the 19th of the late King, a plan was laid down in a statute, c. 74. passed in that year, for the adoption of a system of penitentiary imprisonment, which should be calculated to reform offenders. The preamble of that statute sets forth, “That whereas, if many offenders, “convicted of crimes for which transportation has been usually inflicted, “were ordered to solitary imprisonment, accompanied by well regulated “labour and religious instruction, it might be the means, under Providence, “not only of deterring others from the commission of the like crimes, “but also of reforming the individuals, and inuring them to habits of “industry.” This Act was drawn up under the direction of Sir *William Blackstone*, with the advice and concurrence of Mr. *Howard*. No measures were, however, taken to carry this plan into execution, till the year 1794, when an Act passed, (34 Geo. III. c. 74.) for the building of a Penitentiary house for the confinement and employment of convicts; and a contract was entered into with Mr. *Jeremy Bentham* for that purpose. So many difficulties, however, arose in the mode of carrying this measure into execution, that the contract was re-purchased, and the plan abandoned.—A Committee of the House of Commons sat in 1811, which entered fully into the merits of this important question, and they concluded their report by recommending that an arrangement should be made with Mr. *Bentham* for this purpose, which, in fact, afterwards took place. Parliament, however, did not lose sight of this momentous subject, and soon after the publication of this report, and the final settlement with Mr. *Bentham*, the foundation of the present Establishment was laid; and a part of the building was opened for the reception of convicts in June 1816. This Establishment may be considered as now completed, and contained,

533. when

when Your Committee visited it, 869 prisoners ; viz. 566 males, and 303 females. Your Committee examined, with the greatest attention, into the details of the institution ; they saw every prisoner, and visited each person twice in the infirmary and sick wards. They made themselves acquainted with the internal discipline and arrangement of the institution, and they wish to impress upon the House their conviction, that on the whole it may fairly be considered as being ably and successfully conducted. The attention of the Managing Committee appears to them to be sedulous and unremitting ; the Visitors and officers, diligent and attentive, and the whole arrangements to have been contrived with great skill, and executed with regularity and attention.—As might have been naturally expected, a system so novel in its nature, and to be applied to so many persons, varying in character, age, and sex, could not obtain complete success at once ; and those who had the control and management of this great experiment on the penal law of the country, had not only something to learn from experience themselves, but also much to teach to others, who, under them, were to carry their arrangements into execution. Difficulties have thus arisen from the choice of officers ; from the change of persons who had the direction of the Establishment ; from the alterations that have necessarily been made in the management of the prisoners ; from the nature of the labour to be introduced, and from a variety of other causes, to which the best managed institutions are at all times exposed ; but Your Committee are of opinion, that these difficulties are almost all of them surmounted, and that the Establishment bids fair to equal the expectations of its friends and supporters. Among the improvements in the system lately adopted, Your Committee think it not the least important, that it has been thought proper, to place at the head of the Establishment in the prison as Governor, a person of education and superior condition in life ; and they are of opinion, that this office should always, in future, be held by a person of that description. Steps are now taking to remedy any defects which experience has found to exist in the rules and regulations of the Establishment ; a better system of labour, both as to its productive and useful nature, is about to be established, and exercise is to be more generally extended than heretofore, to all classes of the prisoners.

Your Committee, however, wish to express an opinion, that the monotony of a life of bodily labour, unaccompanied with any mental recreation, may have the effect, in some instances, of injuring the faculties of persons of a higher order of intellect than that which is generally possessed by the prisoners who are confined there. It is in evidence before them, that the chaplain alone has the power of placing only those books in the hands of prisoners, which are in the collection of the Society for promoting Christian Knowledge : that list contains few books that are otherwise than of a serious and religious cast ; and though Your Committee are of opinion, that all the books placed in the hands of prisoners should have, even while they amused and instructed, a direct tendency to better the morals and correct the vices of those who read them, yet they feel confident that, in some cases, a selection could be made of books not in the above-mentioned list, which might be read with the greatest advantage by prisoners.

In the summer season, the prisoners have two or three hours day-light to employ in reading, after they retire to their cells ; and there does not appear any rational objection to thus occupying the time of the prisoners who are in a condition to benefit by instruction ; to whatever class of life they belong, they will not be the worse on their discharge from prison, by having, whilst in confinement, acquired the disposition to find amusement in the occupation of their minds ; they will, of course, be less liable to those feelings

feelings of despair and weariness of thought, which imprisonment for a long term of years is so calculated to produce, and when discharged, there may be every reason to hope, that along with the recollection of the punishment to which they have been subjected, will attach the habit of seeking for amusement and mental relief, by other means than those which arise from the vices and passions of mankind.

There is another subject which Your Committee wish to press upon the consideration of the House, viz. the species of labour which is taught in the Penitentiary. They called for a return upon that subject, by which it appears that the principal trades practised there, were those of tailor, shoemaker, and weaver: Of the first, there were 255 operative workmen, not including 9 cutters and 6 instructors; 54 weavers and 18 winders; and 37 shoemakers; and out of 452 male prisoners in the Penitentiary, between the 30th of October and the 4th of June 1823, 396 were employed in manufactures. It is in evidence, that the best class of work is not there taught, and that those who are brought up as tailors, can hardly hope to gain their daily bread, at their discharge. Thus it may happen, that persons who may have passed from 10 to 5 years in the Penitentiary, may be discharged from it without any means of gaining their subsistence, and may be thus exposed to temptations by which poverty and want are assailed, and which, perhaps, originally induced them to commit the crimes which had subjected them to punishment.

In consequence of the extent of sickness which has, during the last winter and spring, prevailed in the Penitentiary, Your Committee felt it their duty to examine minutely into the causes of the malady which has been so prevalent among the prisoners, and the medical treatment to which they have been subjected. In the spring of 1822, it appears to have been the opinion of the principal medical officer, Dr. Hutchison, as well as of the Committee of the Penitentiary, that the Dietary of the prisoners was greater than was conducive to their health*. Symptoms of plethora were constantly showing themselves, though principally among the female prisoners, and a general fulness of habit appeared to prevail among all the inmates of the Penitentiary. Accordingly, under the advice and upon the suggestion of Mr. Morton Pitt, one of the Committee, (in which the Committee concurred,) a more reduced scale of food was adopted. This recommendation was founded upon the success of a similar system at Dorchester gaol. The Managing Committee, however, felt it to be their duty to submit the question to the consideration of Sir James McGrigor, who is at the head of the Army Medical Board. Sir James McGrigor was of opinion, that the old system of diet was too full, and he approved of the plan proposed. Accordingly, in July 1822, the old dietary, which was as follows, was abandoned, and the new one, which is here also subjoined, was substituted in its room.

* The Committee of the Penitentiary, on the 18th of March 1822, originated this change of Dietary, by addressing a letter through their secretary to Dr. Hutchison, requesting his opinion on the subject. Vide Appendix.

REPORT FROM THE SELECT COMMITTEE

FORMER DIETARY.

DAILY,— $1\frac{1}{2}$ lb. of Bread, made of such Meal as the Committee may from time to time direct, for every Male Prisoner above the age of 18 years; and 1 lb. for every other Prisoner. But Boys under 18 may have the full allowance of Bread, if the Chaplain and Governor shall certify at the commencement of the week that their conduct has been meritorious during the week preceding.

For BREAKFAST - - - - - 1 pint of hot Gruel or Porridge.

For DINNER -	Sundays - -	} 6 ounces of Clods, Stickings or other coarse pieces of Beef (without Bone, and after boiling) with half a pint of the Broth made therefrom.
	Tuesdays - -	
	Thursdays - -	
	Saturdays - -	
		1 lb. of boiled Potatoes.

For DINNER -	Mondays - -	} 1 quart of Broth for the Males, and 1 pint for the Females, thickened with Scotch Barley, Rice, Potatoes or Pease, with the addition of Cabbages, Turnips, and other cheap Vegetables.
	Wednesdays - -	
	Fridays - -	
		1 lb. of boiled Potatoes.

For SUPPER - - - - - 1 pint of hot Gruel or Porridge.

N. B.—Prisoners may reserve such part of the Provisions previously delivered out, as they please, for their Supper.

Salt and Pepper, as the Committee shall from time to time direct.

The only Liquor allowed to Prisoners in health (except Broth, Gruel, or Porridge) shall be water.

Prisoners confined to Bread and Water Diet for punishment, shall be allowed such quantity of Bread as the Surgeon may think necessary.

Prisoners employed in Works of extraordinary Labour, or under circumstances which may render it necessary, may be allowed an addition to the quantity of their Provisions, by the direction of the Committee.

MEMORANDUM:

Female Prisoners employed in the Washhouse shall be allowed an addition of $\frac{1}{2}$ lb. of Bread and an allowance of Meat on Washing Days, until the further orders of the Committee.

By Order of the Committee,

A. MACDONALD.

PRESENT DIETARY:—Since July 1822.

In the MORNING - - Three quarters of a pound of Bread and one pint of Gruel, for the Males; and nine ounces of Bread and three quarters of a pint of Gruel, for the Females.

At NOON - - - - Three quarters of a pound of Bread and one pint of Soup, for the Males; and nine ounces of Bread and three quarters of a pint of Soup, for the Females.

In the EVENING - - One pint of Soup for the Males, and three quarters of a pint for the Females.*

The Soup to be made with Ox heads, in lieu of other meat, in the proportion of one Ox head for about 100 Male Prisoners, and the same for about 120 Female Prisoners; and to be thickened with Vegetables and Pease, or Barley, alternately, either weekly or daily, as may be found most convenient.

The Committee to substitute, at their discretion, Potatoes for Bread, at the rate of 1 lb. of Potatoes for $\frac{1}{2}$ lb. of Bread.

The only Liquor allowed to Prisoners in health (except Broth or Gruel) shall be Water.

Prisoners confined to Bread and Water Diet for punishment, shall be allowed such quantity of Bread as the Surgeon may think necessary.

Prisoners employed in Works of extraordinary Labour, or under circumstances which may render it necessary, may be allowed an addition to the quantity of their Provisions, by the direction of the Committee.

Wardsmen, and those employed in the Kitchen and Bakehouse, shall be allowed $\frac{1}{2}$ lb. of Bread extra, daily.

Female Prisoners employed in the Laundry shall be allowed $1\frac{1}{2}$ lb. of Bread, daily, with a double allowance of Soup at Dinner and Supper, on the days in which they are employed in Washing; viz. Mondays, Tuesdays and Wednesdays.

Wardswomen, and those employed in the Kitchen, shall be allowed $1\frac{1}{2}$ lb. of Bread, daily.

* Lately Gruel has been substituted for Soup of an Evening for the Females.

The Report of the physicians, Drs. Roget and Latham, dated 5th of April 1823, sets forth, that the adoption of this new system was soon followed by a general decay of health and strength, which showed itself principally among the female prisoners. The officers of the Establishment soon perceived the evils with which the prisoners were threatened, and it is in evidence from the journal of Mr. Pratt, the surgeon, and the testimony of the matron, that their attention was directed to the subject during the whole of the autumn, and the early part of the winter. This question was repeatedly brought under the view of the Visitors and Managing Committee; they referred it to the principal medical officer, and acted upon his opinion.

It is stated in a minute of the 11th of February 1823, that the superintending Committee were alarmed at the unusual degree of sickness among the female prisoners; but it is expressly declared in that document, that the disease could not be attributable to any particular cause. It is, however, in evidence, that the first symptoms of scurvy appeared in a patient early in January 1823, and the illness among the prisoners exceeded greatly the amount of any former year; between that period and the beginning of February, several cases of scurvy occurred; sickness was gaining ground amongst all classes of the prisoners; and the Committee directed a letter to be written to Sir James M'Grigor on the 8th of February, drawing his attention to the prevailing illness, and specially requesting his opinion of the effects of the new dietary. Sir James M'Grigor made his visit on the 14th of February, and his report is dated the 17th of the same month. It sets forth, "that having seen the whole of the female, and
" many of the male prisoners, he found them not in an unhealthy state;
" and from a minute inspection of the infirmaries, he ascertained that while
" the proportion of the sick was small for the season, the diseases were
" not, except in a very few instances, of a serious character, and not attributable to diet or confinement." This report calmed the apprehensions of the Committee; and no steps were taken, either by their order, or under the direction of the principal medical officer, to ascertain by minute personal inspection, the bodily health of every prisoner. Within a few days, however, the disease so rapidly gained ground, having increased from 53 to 118 patients, between the 14th and 28th of the month, that the Committee determined to call in other medical advice, and accordingly summoned Drs. Roget and Latham, to give their opinion of the nature of the disease, and whether it could be ascribed to the new dietary.

These physicians visited the Penitentiary on the 1st of March, and found no less than 110 patients in the infirmaries; viz. 44 males and 66 females. On the 3d of March they, accompanied by the principal medical officer, went round the different pentagons, examined the person of each prisoner; and the result of their examination was, that out of between 858 and 880 prisoners, 448 were afflicted with disease. The report of the physicians has been laid before the House; and Your Committee refer to it, to express their approbation of the clear and luminous statement of the origin and progress of the disease, and they wish to draw the attention of Parliament to the manner in which it affected the different sexes, falling with increased severity on those who had suffered long imprisonment. "With regard to
" the extent of this disease," say the physicians, "we found more than one
" half of the whole number of prisoners affected by it, in one or other, or
" in all its forms; but the proportion was not the same among the prisoners
" of different sexes, or belonging to different classes. The women were
" affected much more extensively than the men; and of both men and
" women, the second class, which is composed of those who have been

“ longest in confinement, was affected in a much larger proportion than
 “ the first class, which comprises those who have been more recently im-
 “ prisoned. Of the women, about two thirds were ill of the disease; or
 “ the men, rather less than one half. Of the women in the first class, one
 “ half were ill; of those in the second class, five-sevenths. Of the men in
 “ the first class, above one-third were ill; of those in the second class,
 “ rather more than one half*.”

Your Committee entirely concur in the opinion expressed in this report, which is further supported by the testimony of all the medical authorities they examined, with the exception of Sir James M^cGrigor, that the main cause of the production of this disease is attributable to the new dietary. It is evident that the situation of the prison could not have occasioned the disease, for it never appeared before the last winter; 2dly, the inhabitants of the immediate vicinity were not attacked with any disease at all similar; 3dly, the prison is remarkably dry, as Your Committee minutely examined it, and there did not exist the smallest trace of damp in the building; and lastly, the officers of the prison were exempt from the disease, and all those who were in the kitchen, and thus had access to a greater extent of food, were free from all attack. In respect to the situation in which the Penitentiary is built, Your Committee are unable to form any opinion adverse to its salubrity; it is situated on a tide river, thus having the advantage of a fresh current of air twice a day, and its vicinity is by no means considered unwholesome.

Your Committee felt it their duty to inquire not only into the cause of the disease so long prevalent, but also into the medical treatment of it, and more particularly so in consequence of a difference of opinion being held upon this important subject by the surgeons and physicians they called before them. They did not, however, do this from their entertaining the least suspicion of the talent, judgment, and skill of the medical officers of the Establishment, Drs. Roget and Latham; but when a contrariety of opinion was held upon a subject, in which the lives of hundreds of human beings might ultimately depend, who had no choice but to submit to the treatment which their medical advisers might prescribe, Your Committee considered themselves imperiously called upon to refer the subject to the best medical authorities the country could produce; accordingly, a deputation from the College of Physicians visited the Penitentiary, and their Report, which is here subjoined, sets, in the opinion of Your Committee, the question at rest, and fully confirms the propriety of the practice of Drs. Roget and Latham.

(Copy.)

“ Sir,

“ Whitehall, June 23d, 1823.

“ IN consequence of the illness which has long prevailed at the Penitentiary, and the differences of opinion which has been expressed by medical men of considerable eminence, with respect to the causes of the disorder, and the nature of the remedies which it is proper to apply, I am induced to request that you will bring the subject under the consideration of the College of Physicians,

* The first class prisoners, are those who live and work by themselves, and are considered to be in a state of probation. The rule is, that prisoners remain in this class half their servitude; but they may be removed at an earlier period for continued good conduct. The second class work in company, and sleep in the upper gallery; it is from this class that the wardsmen and servants in the kitchen are taken.

Physicians, and that you will have the goodness to move the appointment of a committee for the purpose of visiting the Penitentiary, and of reporting to me their opinion upon the nature of the disorder which prevails in that Establishment, and upon the probable efficacy of the present course of medical treatment.

“ Sir H. Halford, Bart.
 &c. &c. &c.

“ I have, &c.
(signed) “ R. PEEL.”

(Copy.)

“ IN compliance with the request of the Right honourable Secretary of State for the Home Department, we the undersigned members of a committee, appointed by the College of Physicians, have visited the Penitentiary at Milbank, examined the state of the patients there, heard the accounts given by the medical attendants ; and do report upon the two questions submitted to our investigation, as follows ;

“ From the testimony of the medical officers, compared with the details given uniformly by the patients themselves, of the former stages of the disease prevalent amongst them, that the disorder has borne a *dysenteric* character. But we have to observe, that the patients are now far advanced towards recovery, and that the severer symptoms which distinguish dysentery, prevail no longer. Many, however, still continue ill of a milder complaint of the bowels. Upon the second question we report, that the treatment by mercury, adopted in this disease, appears to have been very successful.

“ College of Physicians,
June 27th, 1823. (signed)

“ HENRY HALFORD, “ W. G. MATON.
 President of the College. “ THOMAS TURNER
“ HENRY AINSLIE. “ PELHAM WARREN.”
“ EDWARD ASH.

On the 15th of May, the annexed list was given in by Dr. Roget, physician to the Establishment.

PRISONERS under medical treatment on the 15th of May :

					Men.		Women.		Total.		
Diarrhoea	-	-	Ill	-	-	46	-	44	-	90	
			Better	-	-	48	-	87	-	135	
			Well	-	-	49	-	20	-	69	
Other complaints				-	-	21	-	30	-	51	
Total					-	-	164	-	181	-	345

May 23, 1823:				June 11, 1823:			
Men. Women. Total.				Men. Women. Total.			
Diarrhoea	{	Stationary	- 63 - 46 - 109	Stationary	- - - - 73 - 35 - 108		
		Better	- - 51 - 56 - 107	Improving	- - - - 86 - 38 - 124		
		Well	- - 64 - 47 - 111	Well	- - - - 82 - 88 - 170		
Other complaints		- 24 - 35 - 59	Other complaints		- 24 - 28 - 52		
Total		- 202 - 184 - 386	Total		- 265 - 189 - 454		

Notwithstanding this apparently unfavourable account, all the medical authorities examined declared the disease to be abating, and, though spread over a larger surface, to be much diminished in the severity of its character*. Your Committee directed their inquiry to the important fact, whether the disease could be considered as contagious. All the medical practitioners whom they examined, with the exception of Mr. White, considered it to be so in no degree; yet Your Committee, though of course not inclined to contest the opinions of medical men of such science and eminence, cannot avoid remarking, that recently some of the inferior officers of the prison have been attacked with the prevailing diarrhœa; and of 59 males, and 4 females, who have been received into the Penitentiary since the 3d of March, 20 males and one female have been ill of the same complaint. On a review, then, of all the circumstances which induced the Managing Committee of the Penitentiary to adopt the new dietary, and to continue its use during a period of eight months, viz. from July 1822 to the beginning of March 1823, Your Committee are of opinion, that they were warranted, upon the advice they received from the medical superintendent, to change the system of dietary then in use, for the reasons assigned; but Your Committee regret, that the opinions of medical persons conversant with the management of prisons, and the state of health of prisoners, liable as it is to be affected by so many moral causes, had not been previously taken.

It is in evidence before Your Committee, that Dr. Hutchison, while he recommended some alteration, proposed a change less decisive than the one adopted; and he accompanied his recommendation with the advice, that the judgment of some of the principal physicians in the kingdom should be taken upon the question. Mr. Morton Pitt has, however, stated, that Dr. Hutchison never formally approved of the new plan; yet it is equally clear from the same evidence, that the Committee were induced, by the above witness, to believe he had so done, and that Dr. Hutchison not only never gave the least intimation that he considered the sickness of the prison in any way attributable to the diminished quantity of food, but, up to the middle of February, his opinion remained the same as that of Sir James M^c Grigor; and it was only towards the end of that month that he became convinced, that the real cause of the disease was the change of the Dietary. It is true that Mr. Pratt, the resident medical officer, and the matron, nurses, and officers of the establishment, uniformly opposed the new system; yet that very circumstance rendered their evidence of its effects liable to suspicion: and when, according to the concurrent testimony of all, no material alteration took place in the general look of the prisoners, Your Committee do not feel disposed to blame any of the parties concerned, for any inattention in the exercise of their respective duties.

Much conflicting testimony has been given upon the subject of Dietary; and in general, the best medical opinions appear to consider the plan adopted

* Since this Report was drawn up, a return of the prisoners under medical treatment on the 3d July 1823, has been given in to the Committee, by which it appears that the disease is rapidly on the decline; the sick, who are considered as stationary, being reduced from 108 to 39.

PRISONERS under medical treatment, 3 July 1823:

	Men.	Women.	Total.
Stationary - - - - -	17	22	39
Convalescent - - - - -	70	37	107
Well - - - - -	179	83	262
Ill of other diseases - - - - -	8	22	30
Total - - - - -	<u>274</u>	<u>164</u>	<u>438</u>

adopted as not only deficient in quantity, but injurious in the mode in which it was administered. The same quantity of animal matter, given in a solid form twice a week, would, however, in the opinion of some, have been sufficient nutriment; and examples have been cited from other prisons in England and in France, to demonstrate the truth of this statement.

This is a question which, in the opinion of Your Committee, is of very difficult solution. There are circumstances in all the prisons referred to, which altogether unfit them to be compared to the Penitentiary. In France, except in those cases where bread and water is the punishment for idleness, the prisoners almost universally enjoy the practical privilege of purchasing additional food. In England, the mere fact of the weight of the prisoners being increased by confinement, is, of itself, no proof that their strength is not diminished: the body may increase in size and bulk, but the fibre may be reduced, and that which may be taken for health, may be a proof of real debility. In all these prisons, the moral causes so peculiarly operative in the Penitentiary, do not exist in the same force. In France, the general intermixture of all prisoners; the young with the old, the dissipation and licentiousness of their lives, the free enjoyment of all amusement consistent with safe custody, preserve the minds of those who are confined there from the irksome monotony which a well-regulated prison is so calculated to produce; and thus the health of prisoners may be better preserved under a less quantity of food than when they are subjected to a severe moral discipline. In these places of confinement, noise and tumultuous gaiety drive away care and thought; yet while their morals are vitiated, the minds of the prisoners may be amused, and thus kept from sinking under the pressure of feelings of sorrow and remorse. A prison so managed, whatever may be its effects on the manners and habits of its inmates, is yet calculated to preserve them from the inroads of the diseases which arise from the moral causes above referred to. It was evidently under these impressions, that Mr. Howard remarks, "that persons in prison require more food than those who are free;" that is to say, the moral causes which excite depression of spirits, and consequently, when long continued, a decay of health, can only be lessened by propping up the strength of the prisoner, and enabling him, through a full prison diet, to resist the effects of the mind upon the body.

The prisoners in the Penitentiary are, in the opinion of Your Committee, peculiarly liable to the operation of moral causes: the strict discipline of the place; the silence and solitude prevailing there; the entire absence of amusement of all kinds; the rigorous observance of the rules laid down to check all demonstration even of natural gaiety; the fact, that nearly one-half of the prisoners are almost in a state of perpetual seclusion, except for a short period in the twenty-four hours, when they walk with measured steps round a court; the long and certain confinement to which they are sentenced, varying from ten to five years; the feelings of remorse, which the absence of all other thoughts is so calculated to produce; the monotony of their existence; the remembrance of better days, of their homes, and their families; and that weariness of life, which is the result of long imprisonment; all these causes most peculiarly dispose the inhabitants of the Penitentiary to the inroads of disease. For these reasons, Your Committee consider it essential to the health of the prisoners confined there, that they should be fed upon a full prison diet, varied according to the suggestion of some of the medical practitioners who have been examined before them; and that some means should be devised, by which every prisoner in the Establishment should be employed in active exercise for some portion of the day.

Your Committee have also inquired into the causes of the dismissal of the late medical superintendent, as well as into the accusations preferred against him in May and June 1822. On the first part of the subject, Your Committee think it their duty to observe, that the testimony of all the members of the Managing Committee, who have been examined, speaks most favourably of the skill, kindness, and attention of that officer; he has received, also, from persons of the highest rank in his profession, testimonials of character the most flattering; yet at the same time there does appear to have arisen between him and the managers of the Establishment, differences which, for the good of the institution, rendered his continuance in the situation he filled, inexpedient. Your Committee give no opinion on the cause of these differences; but the mere fact of their existence is to them a sufficient proof that the parties could not go on together amicably, or with that cordial union and confidence which their respective situations of necessity demand.

In reference to the other accusations, Your Committee have deemed it expedient to inquire into the complaints preferred against the conduct of Dr. Hutchison in May 1822, and which are alluded to in documents already before the House, upon a due consideration of the evidence tendered to them, they are of the following opinion: first, that the Committee of the Penitentiary were fully justified in the measures they took in respect to accusations so materially affecting the character and credit of the Establishment; and, 2dly, though there appears from the evidence before them to have been considerable irritation of manner on the part of Dr. Hutchison, yet they acquit him of the charge of inebriety; at the same time they do not see occasion to impute any intentional misrepresentation on the part of the officers of the Establishment.

Your Committee have had brought under their consideration the period of punishment to which persons are sentenced in the Penitentiary; those who have been capitally convicted, are imprisoned for 10 years; those who are sentenced to 14 years transportation, for 7; and all 7 years cases, for 5; thus, 10 is the maximum, and 5 years the minimum of the terms of confinement. On the 26th of May 1823, there were 869 prisoners in the Penitentiary, of whom 101 were sentenced to transportation for life, 57 for 14, and 711 for 7 years. There does not seem to be a just proportion in the two last sentences, as 5 years imprisonment is a far different ratio of punishment to 7 years sentence, than 7 to 14. Your Committee are inclined to believe that the smallest term was selected in conformity to an opinion expressed by Mr. Howard, viz. that 5 years sentence should be the minimum of imprisonment, on the Penitentiary system.

The question of term of imprisonment, is one of great difficulty; the points to be aimed at are evidently, 1st, the selection of a scale of punishment which may strike terror in evil doers, and operate by example in the prevention of crime; 2dly, the term of confinement should be sufficiently long to insure a change being effected in the evil habits and opinions of the prisoners; thus uniting the example of the punishment to the reformation of the offender. These are the rational objects of penal punishment. The evils to be avoided are,—the making the persons under confinement objects of general sympathy, diverting the censure of the public from the prisoner, to the law that punishes him; and, secondly, the length of imprisonment; thus subjecting the prisoner to a longer period of mental and bodily punishment than is necessary, either for his reformation or the example of others.

Whether

Whether the term in the last instance is too long, Your Committee will not take upon themselves to determine; yet they cannot avoid suggesting the propriety of a reconsideration of the subject, and perhaps on a review of the whole question, its advantages and its evils, it may be found by experience, that long imprisonment is unnecessary for any punishment, either regarding it as exemplary or reformatory, and a reduction of the scale may produce all the salutary ends the legislature by the former enactments had in its contemplation to effect.

It appears to Your Committee, that the class of persons most fitted for this Establishment are those, whose misfortunes, more than their moral turpitude, or confirmed habits of crime, had subjected them to the sentence of the law. Young persons of both sexes*, offenders for the first time, the victims to artifice and seduction, and all the various shades of early guilt, which the severity of the law punishes with the same sentence as more hardened criminality; offenders of this description should find here a prison in which habits of industry might be learnt, moral and religious feelings inculcated, and at the expiration of their terms of confinement, the prisoners might be returned to their friends and relations corrected and reclaimed, or if destitute of both, they may have acquired within the walls of the prison, such habits and ways of industry as may enable them to gain their livelihood, and secure them from falling a prey to the pressure of want, or the arts of the fraudulent and designing.

Upon a review then, generally, of the Penitentiary system as here established, Your Committee are decidedly of opinion, that the vast cost that has been incurred, has not been spent in vain; that this place of confinement, though one of very severe punishment, reforms while it corrects; and that its proper application is to that class of prisoners, whose offences have brought them under the punishment of the law, but whose hearts are not hardened by guilt, and whose characters are not destroyed by the repeated perpetration of crime.

Your Committee have learned with much satisfaction from His Majesty's Principal Secretary of State, that in consequence of the punishment having been increased by the disease now prevailing in the Penitentiary, and which has affected nearly every prisoner within its walls, His Majesty has signified His gracious intention of granting a remission of the terms of imprisonment to the prisoners now confined in the Penitentiary, according to the following scale; to those originally confined for five years, a remission will be granted of one year; to those confined for seven years, a remission of one year and an half, and of two years to those confined for ten years.

In consequence of the Verdict of an Inquest on the body of Charles Thompson, deceased, in the Penitentiary, which set forth, "That the said Charles Thompson being a prisoner in the said General Penitentiary, on the 26th of June 1823, then departed this life from the effects of solitary confinement, and the want of the common necessities of life during his residence in the said prison since the 29th of June 1822;"—Your Committee thought fit to summon the coroner and foreman of the jury before them, as well as the surgeon and other officers of the Penitentiary. From the evidence of the foreman, it appears that the jury was
unanimous

* It is not meant to include persons under the age of 16 in this description, it having been found by experience that the confinement and discipline of the Penitentiary are not calculated for boys and girls.

unanimous in the finding of the verdict; that they considered the deceased to have died in consequence of his confinement in January last, and of a disease brought on by insufficiency of food.

The foreman, however, expressly declared, the jury had no reason to complain of the conduct of any of the officers of the prison, and they did not mean by their verdict to criminate any body; he further stated, that they found the verdict, because they believed the mother and brother of the deceased, who repeated to them the testimony of the deceased as to the causes of his death.

The jury made, however, no inquiries as to the quantity of food given to the deceased when out of the hospital, nor even of his diet while he was in it, nor as to the state of his health when released from confinement in January last; nor did they examine any officers of the Establishment to confirm or refute any of the statements detailed in the evidence of the mother and brother. The state of the case then is as follows; the deceased, Charles Thompson, was admitted into the Penitentiary, from the hulks, in June 1822, in an emaciated state of health; during the whole of that year, not only is there no evidence that he made any complaint of deficiency of food, but the surgeon, taskmaster and turnkey, expressly affirm, that in fact he made none; and that, during the whole of that period, he was never afflicted with sickness. In January last, for an offence against the rules of the prison, namely, destroying and secreting a portion of his work, and solemnly denying it, he was sent to the dark cell, where he was confined on bread and water for five days, having 16 ounces of bread each day; and he was visited daily by the surgeon, governor and taskmaster; he never complained that he was ill; and on his release he was remanded to his cell, where he resumed his work, and laboured at the crank mill, as before his confinement. In the month of March following, he was attacked with the disease then prevailing in the Establishment, and he continued ailing, at times mending and then relapsing, being out of the infirmary from the 24th of March to the 3d of May, until the last week, when he was seized with three fits of apoplexy, of the effects of which he died.

8th *July* 1823.

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MINUTES OF EVIDENCE.

Veneris, 16^o die Maii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Peter M. Roget, M. D. and Peter Mere Latham, M. D.
called in; and Examined.

To Dr. Roget.

YOU are a physician?—I am.

When were you first sent for to the Penitentiary?—On the first of March; I received the intimation on the first of March.

When did you go there?—On the first of March!

Did you, on that day, go round any of the pentagons, and visit the prison?—Dr. Latham and myself went round the infirmaries, but not the pentagons.

What was the state of the infirmaries when you were there, as to the number of patients there were?—We found a large proportion of the patients affected with diarrhœas and dysenteries, and also with scurvy; there were also patients with various other disorders.

Were the principal number of the patients, in the infirmary, affected with the disorders connected with what you have designated by the name of sea scurvy?—They were.

Had they been a long time in the hospital?—The greater number had not been a long time.

Do you recollect the numbers that were in the infirmaries on the day you visited the Penitentiary?—The number is mentioned in our Report; there were 110 patients in the infirmaries.

Male and female?—Yes.

What proportion did the males bear to females that day?—There were forty-four males, and sixty-six females.

Did you, on that day, go round the pentagons?—We had not time to do so on that day.

On what day did you go round and visit them?—We began our examinations of the prison generally, on the 3d of March.

What was the whole number of prisoners then in the Penitentiary?—About 850, or between that and 860.

Did you, in going round the different pentagons, examine the individual health of each prisoner?—We did.

Did you strip them to see whether there were any marks of scurvy upon their limbs?—We examined their legs.

What was the state in which you found them?—A large portion had marks of scurvy on their legs.

When you say a large proportion, can you specify more correctly that proportion?—Perhaps about one-third of the whole number.

Do you consider that those marks had been visible for any time previous to your examination?—They must have been so.

For what time?—From the accounts we could collect they had been visible in some of them as early as November.

From whom did you get those accounts?—From the patients themselves.

You have been speaking of prisoners that were affected with the scurvy, what was the number of persons sick in the Penitentiary on that day on which you examined it?—Our first examinations of the prison were not completed on the day that we began, so that it is not possible to answer this question with regard to any particular day.

On the first inquiry you made, whether it lasted one day, or two, or three, what was the number of persons that were sick?—There were 448 prisoners, that were affected with different symptoms of scurvy, including diarrhœas.

Dr. Roget.

(May 16.)

Dr. Roget.

(May 16.)

The Committee understand, the diarrhœa, you considered as being one of the forms of the complaint?—We so considered it.

When did the disease first show itself in the prison?—We learned that some of the prisoners had marks of scurvy as early as November, and we considered the disease as having commenced in them at that period.

From whom did you learn that?—From the prisoners themselves.

Had you any conversation with the physician, or with the surgeon, upon that subject?—We conversed with Dr. Hutchison frequently upon the subject.

Did he, or Mr. Pratt, give you any information as to the period at which the scurvy first showed itself?—He did.

And he stated, as well as the prisoners, that it was visible so early as November?—He had not himself observed it so early as that time.

Can you distinctly state, that Dr. Hutchison told you that he had observed this disease some time in November last?—I think he told me that he first observed the symptoms of scurvy in February, and not November.

The Committee are to understand, that it was from the prisoners, and not from the medical officer, that you gained the information that the scurvy was existing amongst them as early as November?—It was.

Did you learn that, independently of scurvy, there was any general breaking down of health visible in the appearance of the prisoners early in the autumn?—We understood so, both from the matron and Mr. Pratt, and other officers.

What were the symptoms by which that showed itself?—The principal symptoms were lassitude, want of strength, dejection of spirits, paleness of countenance, occasional faintings, rejection of food by the stomach.

Was that more amongst the males than amongst the females?—More among the females.

Are you aware that any report of that change in the state of health of the prisoners was made to the medical person at the head of the establishment, Dr. Hutchison?—I am not aware that it was.

Did the matron state to you that she had made any report to him upon that subject?—I do not recollect whether she did.

Had there, in point of fact, been a general drooping of the health of the prisoners during the whole or the early part of the winter?—We collected that there had been.

Had there a greater number of persons been in the hospital at the early part of the winter than was customary?—I believe not.

When did the first great influx of patients enter the hospital?—Towards the end of February.

Was there not a greater number in January and the beginning of February than was usual?—I believe not.

Do you think, that if those symptoms upon the legs, as well as the general drooping health of the prisoners, had been observed upon the Report, the progress of the disease might have been checked sooner, if remedies had been applied?—I think it might have been checked much sooner.

Have you recently been at the Penitentiary?—I was there yesterday.

What is the state of disease now?—A great number of the prisoners are affected with bowel complaints; the total number is 225; there are, besides, sixty-nine that are retained under medical treatment, although their bowel complaints have at present ceased; but they are retained lest they should relapse, what we have found so often happen.

Are those included in the 225?—No; there are also fifty-one labouring under other diseases, making a total of 345.

In relation to the first 225, are those cases belonging to the original complaint of the sea scurvy?—We think they are; I have made a table, distinguishing the number of men and women: perhaps this table will be useful to the Committee.

[*The same was delivered in, and read, as follows:*]

“ Prisoners under Medical Treatment on the 15th of May.									
		Men.			Women.			Total.	
Diarrhœa :—	Ill	-	46	-	-	44	-	=	90
	Better	-	48	-	-	87	-	=	135
	Well	-	49	-	-	20	-	=	69
Other Complaints		-	21	-	-	30	-	=	51
			164	-	-	181	-	=	345.”
			=====			=====			=====

Of those sixty-nine, who are designated in that list as retained, were those persons all originally ill of the diarrhœa?—Nearly all.

And you retained them because experience has taught you that they are liable to relapse, and you subject them therefore still to medical treatment?—Yes.

Are they still in the hospital?—They are still considered as patients; but the hospital has been of late so full that many of the sick are placed in their cells with the doors open.

When you went round and observed the state of the prison, would the sickness of the prisoners have been apparent to a casual observer, not examining in the manner in which you examined the legs?—Many of the appearances were very slight, and would not have attracted attention unless it had been particularly directed to that subject; casual observers would not have perceived any alteration of health.

Should you say, that if a stranger, not a medical person, had gone round the prison, who had been accustomed to go round it, and who knew, for instance, the persons of a number of the prisoners confined therein, he would, or not, have been struck with the alteration of their health?—I think he would have been struck with the general appearance of languor; but unless a person had been in the habit of comparing the appearance of the prisoners at different times, he perhaps would not have formed an adequate idea of the extent of the disease.

Was there any difference in their complexion; was it less ruddy?—It was so.

Did that apply to the males as well as to the females?—I think more to the females; but it applied in some degree also to the males.

Does not scurvy generally make its appearance in the legs?—It does.

In your recent examination of the prisoners in the Penitentiary, have you seen any reason to alter the opinion you have expressed in the Report you have made, as to the nature of the disease, and the remedies you have thought fit to recommend for its cure?—We have seen no reason to alter our opinion; on the contrary, what we have since seen has tended to confirm it.

On the nature of the disease, its character, and the remedies you have recommended for its extinction?—In both respects; the only change in our opinions is, that we are persuaded the disease was more inveterate than we had at first conceived it to be.

Does the same proportion continue in the sick, as is given in this table, between the first and second class, between those who have come lately into the prison and those who have been long established there?—We have not made an examination with that view of late; the first and second class have been a good deal intermixed in consequence of the general prevalence of illness, so that the investigation has become more difficult, and we have not lately been able to make this distinction; we might infer that the same proportion exists, because nearly all the present cases are relapsed cases, that is cases which had been under medical treatment.

Should you consider that the disease is on its decline, or is at present in the same aggravated state as when you made that Report?—It is much milder in its symptoms than at first.

The Committee understand, that though it may be spread over a larger number, the disease is less severe in its character than when you made that Report?—There are now a larger number of prisoners affected with diarrhœa than at any former time; but they are all prisoners who had been formerly ill, and I conceive the general amount of illness has diminished in acuteness.

In the Appendix, N° 1, of the papers lying before you, you will see that the total number of prisoners, in the beginning of March, is stated as 448, and the present number as 345; there appears to be a difference of nearly 100 persons, therefore the natural deduction would be, that there were 100 persons less sick in the establishment than there was in the beginning of March 1823; how do you account for this difference, and the answer you have just given?—The number we gave in this statement, refers only to the prisoners who were ill of this particular disease, and does not include those under other diseases; the number 345 includes prisoners ill of all diseases.

Dr. P. M. Latham. The number 448, formerly given in the Appendix to the Report, has reference to the disease under all its symptoms, both diarrhœa and scurvy; the number we have given here, has reference to the disease under the single character, in which it remains, the single character of diarrhœa; there are more cases of diarrhœa at present than there were when we first began to visit the Penitentiary, but fewer cases of the disease altogether; the only disease now in the Penitentiary is the diarrhœa; formerly it was diarrhœa and scurvy.

Dr. Roget.

(May 16.)

Dr. Roget.

(May 16.)

In the Appendix, N° 1, there are 448 persons stated to be sick in the beginning of March; supposing you were to construct a table upon the same principles as you have constructed this, what would be the whole number of prisoners sick that you would give in at the present moment?—*Dr. Roget.* Two hundred and twenty-five; that is, 90 and 135.

The Committee having misunderstood one of your former answers, are now to understand, that the disease has diminished in the establishment, in the proportion between 225 and 448?—Yes.

Do you remain of the same opinion, as to the causes of the disease?—We do.

Will you state to the Committee what your opinion is, as to those causes?—We think that the principal cause has been, the deficient quantity of nutriment in the diet ordered in July last, and from its being in too liquid a form; we think also, that the coldness of the weather may have contributed very much to bring on the disease.

You state, that you consider the disease to have been brought on by the deficiency of the food, as well as the manner in which that food was given; do you think, that if the food had been given in another form, and only to the same quantity, any difference would have arisen?—The difference of form would have made so essential a difference, that it is difficult to answer that question; the quantity of animal matter in the broth, for instance, was so small, that it could not have constituted a meal.

The quantity was about an ounce and a quarter of animal food per day; supposing all of that had been given on the Sunday, in one meal, and that the prisoners had been confined to their bread, and their gruel and vegetable soup, on the other days in the week, should you have considered that a sufficient quantity of nutriment?—It is impossible to say what might have been a sufficient quantity; I should have considered it a better form of giving the same quantity of nourishment.

Will you state to the Committee, what is in your opinion, the medical objection to giving food in this liquiform state?—The digestion of food in that form appears to be less perfect than in a more solid form; it seems to escape the action of the stomach.

Did you ever see any series of experiments that have been made by some French medical persons; upon feeding animals with the most nutritive broths, and giving to others the refuse from which those broths had been extracted, and the success of those experiments?—I do not recollect the particular experiments referred to; I recollect Mr. Magendie of Paris, making experiments upon the effect of confining animals to a diet consisting of one substance, namely, sugar; which proved fatal to all the subjects of those experiments.

You have, no doubt, seen the old dietary which was practised in the prison?—I have.

Should you, seeing the old, have considered that the change was too great, from the old dietary to the new one, had it been submitted to your consideration prior to its being adopted?—It is difficult for me to answer that question; on the subject of prison diet, so much depends upon experience, that I should have found it difficult, without much consideration, to give an opinion.

Had you before, or have you lately, seen any prison diets, which have been adopted through the country, of the same limited nature as this is?—We have seen accounts of the diet at different prisons, some of which contain much less nutriment than the one lately adopted at the Penitentiary.

Were those the diets in prisons, in which persons were confined for long terms?—They were not.

Have you any statement of those prisons in which a less diet was given?—In the prisons of Stafford, and of Devizes, the food is entirely vegetable: At the Stafford gaol, the daily allowance is one pound and three quarters of bread, one pound of potatoes, and one quart of gruel; to those who work at the tread mills, a quarter of a pound of bread extra is allowed: At the Devizes gaol, one pound and three quarters of the best wheaten bread, one pint of gruel, and one pound of potatoes; but on Wednesdays and Fridays, one pint of soup made of peas, barley, and other vegetables, is given instead of potatoes.

You consider that the less liquid form in which that food is given, than at the Penitentiary, compensated for the absence of all animal food?—I should think it would not entirely compensate.

Should you, as a medical man, consider that food as insufficient to maintain the health of prisoners, if sentenced for long terms?—I should think it was insufficient.

As

As one of the disposing causes of the disease at the Penitentiary, you have stated the unusual severity of the winter; should you have considered that, supposing the winter had been mild, the disease would have made its appearance?—It is impossible to say absolutely, whether that would have been the case or not; there would at least have been less probability of its appearing.

In the Report it is stated, that even amongst those prisoners who were subjected to additional cold, from sleeping in cells that were not so much warmed as others, if those prisoners were employed in the kitchen, where there was a greater quantity of food consumed than each individual had apportioned to him in a cell, little or no illness broke out amongst them?—That is the case.

Then, is not the natural deduction from that fact, that it was deficiency of food, and not cold, which caused the disease?—Among those prisoners, certainly.

Very few, if any, persons who were employed in the kitchen, contracted that complaint?—None of those who had been for any length of time in the kitchen.

Should you think that it was the additional food of the kitchen, or the additional warmth of the kitchen, that exempted them from the disease?—I should think it more probable that it was the additional food, but the additional warmth and occupation must also have contributed.

You would, of course, consider, amongst other causes, the moral cause of their being more in number there; more society, more gaiety?—Certainly.

Had you been in the Penitentiary before?—Never.

Did you order any additional warmth in any part of the prison?—We did not, because the severity of the winter had passed.

Do you know, from the manner in which you have been informed that the prison was warmed, that it required any additional warmth in the severity of the winter?—I should think it probable that it would.

Do you extend your observations all through the pentagons, or only to those upper parts of the pentagons where prisoners sleep without working?—Only to the cells of the upper story.

Did you make any alteration as to the additional air, or the additional exercise, which you recommended in the prison?—We did not; we did not think any change necessary.

Is there any alteration with respect to any additional exercise which the women are permitted to enjoy?—We found it necessary to lessen the time of walking of the women on Sundays, on account of their complaining of fatigue.

Do you mean that their state of health was so much weakened, that that exercise, which might have been good for them when they were strong, was too much for them when they were weak; or do you mean, that as a permanent system, you would cut off so many minutes of exercise from each female prisoner?—Our directions applied to the existing state of the Penitentiary; we did not take into consideration future arrangements which might be necessary.

They walk every day?—They do.

By limiting it on one day, namely Sunday, you cut off a portion of the seventh day?—They walked for a longer time on Sundays than on other days; we reduced the walking on Sundays to the same time as on other days.

What time was that?—They walked two hours and twenty minutes on the Sundays, and two hours only on other days; we reduced it to two hours.

That is an hour each time, at two different periods of the day?—At three different periods of the day.

Those cells which you thought were not sufficiently warm, which are upon the upper story of the Penitentiary, they are only sleeping cells?—Only sleeping cells.

Are the officers sleeping cells in the same stories?—Yes, they are.

Are they warmed by any flue or chimney?—They are not.

Have any complaints been made to you by them, of suffering from cold?—Not any.

Do you know whether any of them have suffered illness from sleeping in those rooms?—I do not.

Then will you have the goodness to state, why you think an additional warmth is necessary for the prisoners?—I think prisoners are under very different circumstances, in respect to health, to those that are not prisoners.

Have you been through the uppermost story, where they sleep?—Frequently.

Did the prisoners there ever complain of cold?—We were told that they did.

In point of fact, of those that were ill, did a greater number come out of those upper stories than out of the lower?—A greater number.

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Should you think that that greater number arose from cold ; or being of the second class, did it not arise from their having been longer in the prison, and being in consequence more liable to the attack of the complaint ?—The latter cause probably had a considerable share in producing this effect.

Have you visited many prisons in the kingdom ?—No, I have not.

Do you happen to know any prison where they sleep separately, where the sleeping cells are warmed by flues ?—I think in the greater number they are not warmed ; I do not recollect any that are warmed.

Do you know of any prisons where they are open to the open air by means of a grating ?—Not personally.

What was the alteration in the food in the Penitentiary which you suggested, first beginning with the temporary, and then what you recommended as a permanent system ?—We first ordered for each prisoner four ounces of solid animal food per day, three oranges per day, eight ounces of rice, and white bread instead of brown.

Is that the dietary upon which the prisoners now are ?—We have since increased the proportion of animal food ; they now have six ounces daily ; they have potatoes instead of rice ; and instead of gruel for breakfast and dinner, we have substituted a quarter of a pint of milk and an equal quantity of water thickened with two ounces of flour.

Is that to be considered as the sick diet ; that which you give to the prisoners during the period of their sickness, or that which you recommend as the permanent diet of the prisoners ?—We have adopted this as a temporary expedient.

Have you, since you have given a more nourishing diet to the prisoners, seen the good effects of it among them ?—We have found their strength improved, their appearance also improved, and all the scorbutic symptoms have disappeared.

Are their spirits better ?—Yes, certainly ; and their general aspect more cheerful and healthy.

Does that observation extend to those who never have been sick, as well to those who have been ?—Yes, certainly.

Did the prisoners complain to you of having long suffered from a deficiency of food ?—Many of them did.

Did they state that they had made those complaints before to persons who went round to see them ?—They did not state that to us.

In the different pentagons, was any one pentagon more diseased than another ?—Those containing the female prisoners, were more diseased than those containing the male prisoners.

Amongst the males, was there a greater prevalence of disease in pentagons 1 and 2, as compared with 5 and 6 ?—There was much less disease in pentagon 2, which contained prisoners recently brought to the prison ; I did not perceive any difference in the others ; perhaps pentagon 1 contains rather more sick.

What is the difference ?—It is hardly worth considering.

Was your observation directed, in going round the establishment, to any difference amongst the males, between the first and the second class ; between that class that had exercise by means of labour, and that other class which is the second, that had no labour at all ?—We took pains to distinguish between the two, in order to ascertain what difference might exist between them.

What was the result of that investigation ?—Of the women in the first class, one-half were ill ; of those in the second class, five-sevenths. Of the men in the first class, above one-third were ill ; of those in the second class, rather more than half.

Should you think that it would be advisable, for the general health of the second class, to subject them to some exercise, in the way of labour at the mill, or in any other mode which could be devised ?—It perhaps might be advisable.

Do you think the same principle would be advantageous to the women ?—I think it might be.

Was your attention drawn to the state of the laundry in the Penitentiary ?—It was.

Is not that very small for the number of persons that work there ?—It appears small.

Were you ever there when the women were at work at washing ?—We have been.

Was not the heat, or more properly the moisture, very prejudicial to the health of the persons who were there employed, and greater than you ever saw in any private establishment ?—I was not struck with it.

Were a greater number of persons sick out of the laundry, than out of the kitchen ?—Certainly ; those in the kitchen were exempt.

Were

Were there more sick out of the laundry, than out of any other part of the prison?—No, there were not.

Are they not very subject to draughts?—I am not able precisely to answer that question.

Do you not think, that the moral causes had a very great influence in creating this complaint, as well as the physical ones?—I think they had a considerable influence.

Will you state what those causes are, which are designated generally under the name of moral causes?—General depression of mind from the loss of liberty, and privations of different kinds consequent upon that loss; despondency generally.

Do you not think that the long terms of imprisonment to which persons are sentenced, may be considered as one of the most leading of those moral causes?—I think so.

And of course operating in a stronger degree in this prison than any other, from the length of the terms being so much greater?—Certainly.

When you visited the Penitentiary, you of course saw Dr. Hutchison, the principal medical officer?—Certainly.

Did the patients in the hospital appear to you to be properly attended to by him?—Yes.

Did his mode of treating the disease, namely, the disease of the scurvy, appear to you to be that, that was the best fitted to cure it?—We had not an opportunity of seeing the treatment he adopted, previously to our being called in; and, indeed, there had been but little opportunity for the employment of any medical treatment previous to our being called in.

In point of principle, was not your treatment nearly the same, or differing in a very trifling degree, with the treatment he adopted?—We adopted the same treatment, as far as the scurvy is concerned, that he had recommended.

In what was the difference in your practice, as to any other complaint?—The diarrhœa we did not treat in the same mode.

Was every information given to you by Dr. Hutchison, which you thought fit to ask him, and every facility afforded to you by him?—Perfectly so.

Had you any conversation with him relative to the drooping state of the convicts, in the early part of the winter?—We undoubtedly conversed with him on all those subjects.

Did any of the committee express to you any doubt as to the medical treatment of Dr. Hutchison, or any unfavourable opinion of his conduct as the medical officer of the establishment?—Not the smallest.

Was any instruction, or intimation, or even hint, given to you, by any one of the committee, that you were to slight the opinions, or in the smallest degree to do any thing which could give offence to the person who was at the head of the medical part of the establishment?—Not in the smallest degree.

Were you desired by them to consult with him, and to communicate freely with him upon all subjects?—Our instructions were, to have continual communication with him on all subjects.

Freely, openly, and unreservedly?—Yes; and we complied with those instructions.

Do you not know, in point of fact, from hearing it, that the prison was generally healthy till August last?—We have so understood.

Is it not, therefore, reasonable to presume, that neither the moral causes which have been alluded to, nor the circumstance of the second class sleeping in cells not warmed, would have produced the injurious effect upon the prisoners, if it had not been for the dietary?—I think they would not.

Do you conceive that any difference of diet is necessary to the prisoners in the Penitentiary, and prisoners confined for the same period in other gaols in different parts of the kingdom?—I do not think the difference of place should make any difference in their treatment or diet.

Supposing the quantity of food given to prisoners in other gaols in the kingdom, confined for the same period of time, be found to be adequate for their support, would it, in your opinion, be sufficient for the prisoners confined in the Penitentiary at Milbank?—The circumstances are probably different, and therefore it is probable that some difference should be made in the quantity of food.

In what way?—If the circumstances are different, I would rather say.

The question supposes the circumstances to be the same?—If the circumstances are in every respect the same, I do not see that any difference should be made.

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You have stated, that the persons recently admitted into the prison have been affected with the disease that prevailed among those who had been for a longer period; now, supposing it to arise from diet, how can those persons who have been admitted into the prison only for one month, be affected with that disease which was occasioned by the length of time during which the other persons had been confined upon the restricted diet?—There were scarcely any prisoners who had been for so short a period as one month, or even two months, who had the disease.

Were there any?—None with scurvy.

Is scurvy a disease that is infectious?—It is not so considered.

From what cause could those who had been confined only for a short time, have received that disease, which you attribute to long confinement upon a reduced diet?—It does not appear that any had received the disease.

What was the shortest period of confinement of any person affected with the disease?—All the patients, who had decidedly this disease, had been confined for at least six months.

Do you think that the diet, which the prisoners receive, is not sufficient for a person confined only for six months?—It would appear so, from what we have seen at the Penitentiary.

Supposing it is found, in other prisons, to be quite sufficient for a period of six or twelve months, why should it not, in the Penitentiary, be also sufficient?—I am unable to explain the reason, but such is the fact.

You state that the diet is not sufficient for those who are employed in hard labour, and that that has been in a great measure the cause of the disease which prevails; how comes it then that the disease appears to have commenced, and to have been to a greater degree among those that were not employed at all?—We found it difficult to account for that, unless by taking into account the effect of the greater cold to which they are exposed during the night in the sleeping cells.

Do you think that the cold would affect those more who were not employed at all, than those that were employed?—The cold acted more on those who were less employed, than those who were exercised at the mill.

Why should it affect those that were not employed more than those who were?—They were more exposed to cold by occupying colder cells.

You have stated also, that the moral cause to which you have referred, that is the privation of liberty, was one great occasion of the disease, if that were the case, would not the same disease prevail in other prisons of the kingdom?—That is only one cause; it appears to require the concurrence of several causes to produce the disease.

The other disorder which appears to have prevailed in the prison, the diarrhœa, is a disorder that is infectious, is it not?—It is not so considered.

How should it prevail at all, except among that class who have been any length of time in the Penitentiary?—It did not prevail among those who were recently admitted, but of those of the first class it prevailed most among those who had been a considerable time in the prison: among those who had been in the prison only a few months we did not meet with the disease.

Should you consider, that for a person employed at the tread mill, a pound and a half of bread and a pint of oatmeal gruel each day, with meat on the Sunday, would be sufficient to keep them in health?—I have not formed any distinct opinion upon that subject.

Would you think it insufficient?—I should be inclined at this moment to think it insufficient.

Supposing you were informed, that the prisoners in a house of correction containing two hundred persons, had for many years received no more, working at the mill, and that the greatest health had been enjoyed by those prisoners, what would you say then?—I should say, that the question must be decided by taking into consideration a great variety of other circumstances.

What are those circumstances?—A variety of circumstances in the discipline of the prison, the mode of employing the prisoners. The monotonous state of the life of the prisoners must contribute very much to depression of mind.

You have referred to moral causes as having some effect in producing this disease, do not you conceive the moral causes to which you alluded would operate very differently on prisoners contemplating an imprisonment of twelve months, or an imprisonment of five years?—Certainly.

In examining the prison, did you find it damp?—We did not.

Was

Was there any thing in the character of the prison internally, that would lead you to think that its situation was unwholesome?—There was not.

The whole was well ventilated?—It appeared so to us.

Are you to be understood, that the confinement of the Penitentiary is exclusively solitary?—By no means.

When they are shut up there is no interchange of communication with other prisoners?—No.

Do you presume, from your professional experience, that another system of dietary ought to be adopted to prisoners in solitary confinement, to that given to prisoners who have an interchange of communication with persons in other situations?—I should think so.

How many of the 110 patients to whom you refer, whom you found on your first visit to the infirmary, were afflicted with scurvy?—We found so many that had both complaints conjoined, that we did not in our report take a separate account of those who had only one symptom; and we have not brought the documents here, which might enable us to make out the precise number.

You found so many of those 110 afflicted with diarrhœa?—Yes, and with scurvy together.

Did you take the medical superintendent of the Penitentiary into your consultation when you first visited the Penitentiary, and every time afterwards?—We did.

Did you understand from him the mode of treatment he had been pursuing previously to your visit?—We did.

Did you make any, and what alterations if any, in that treatment?—We continued the same treatment at the commencement of our attendance; we afterwards found reason to change various parts.

You did change afterwards?—Yes.

How long afterwards; how long did you proceed on that plan which the medical superintendent of the prison had pursued before you altered it?—The treatment was not uniform as to all patients, therefore we made continual changes here and there.

You mention in your Report, certain symptoms and appearances of disease at your first visit, could those symptoms have been of any long standing, or were they obviously recent?—Some of them were of long standing, others were recent.

You also mention in your Report, certain morbid appearances on dissection, from which you inferred the identity of the diarrhœa and scurvy; did the medical superintendent communicate to you, previous to this dissection, such facts as established the same conclusion, that conclusion which you visibly saw in the dissected parts of the patient dying under this disease?—He did not, because there had been no dissections previous to our attendance.

Did he previously communicate to you such facts as established the same conclusion, that the visible parts of the dissection were in fact precisely that which must inevitably be the case?—Those facts we learned only by dissection; we learned by dissection, the coincidence of those appearances with the symptoms of the disease.

Do you mean to say, that in your experience, if a patient died of a certain distemper, and which you had been in the habit of treating in former times, you would not be able to know pretty well what those appearances would after death be?—It was presumed, that the different symptoms of this disease arose from the same cause, and constituted the same disease, but we had no certainty of it until we ascertained the identity by dissection.

You mean to say, that Dr. Hutchison did not tell you what the appearances would be after death, which upon your dissection you found had taken place in the morbid body of the party?—I do not recollect his stating it.

You have stated, that this dissection convinced you that the disease tended to produce irreparable organic mischief to the intestines, and thus producing bowel complaints, were you aware of this circumstance before the dissection?—We thought it likely to be the case, but we were not certain.

Did you, at your earlier visit, recommend four ounces of meat to be cut up into pieces and mixed with the broth for each prisoner, before you abandoned the use of broth altogether?—We did.

Did the late medical superintendent suggest to you to abandon the use of broth, and to administer solid animal and vegetable food?—Very likely he did; we had frequent communications with him.

Cannot you state positively whether he did or not?—I cannot recollect distinctly whether he did or not; our communications were very open and free.

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They were very friendly?—Quite so.

Have you heard of the efficacy of lemon, or lime juice, in this disease, at sea?—I have.

What is your opinion of the citric acid, as compared with the use of oranges, which it appears by your Report you have recommended?—I consider oranges as another form of citric acid.

Does it convey, in the same quantity as to weight, so much of that anti-scorbutic principle as the citric acid does?—The citric acid itself is never given; it is given in the form of lemon or orange juice.

Supposing a lemon was given to be sucked?—The juice of a lemon may convey more acid than the juice of an orange; probably it does.

In what respect did your treatment of the diarrhœa differ from that of Dr. Hutchison, the late medical superintendent?—We adopted a great variety of treatment in different cases; our treatment was by no means uniform.

Can you establish, to the judgment of the Committee, that there was any such distinct difference in your prescriptions from those of Dr. Hutchison, that you would be enabled to give a satisfactory reply?—I can mention one principal difference in our practice, which was, that we found the diarrhœa could be controlled most effectually by the use of mild preparations of mercury; we had been given to understand that Dr. Hutchison had found that practice not advantageous.

Do you mean mercury in any mode?—Yes; and he distinctly laid down the principle, that mercury in any form was prejudicial; we, on the contrary found, according to our observation, that it was very useful.

Will you state in what form you did give it?—In the form of hydrargyrus cum creta.

In those prisons where you mention the diet to be less in quantity, is the exercise allowed or enjoined to prisoners to the same or a greater extent?—We have made no difference in the exercise from what it was previous to our visit, with the exception I have stated, of the time of exercise of the women on Sundays.

In one part of your answer you stated, that you did not think that the sea scurvy was of an infectious nature?—We do not think so.

Do you mean to say that the sea scurvy, in open ulcers, would not be infectious?—We stated generally that it would not be infectious.

You stated that the flux and dysentery are not of an infectious nature?—They are not so considered by medical authorities.

Would you say, that if any two persons with a flux, or dysentery, were to proceed to the same privy, and two persons, in perfect health, were to proceed thither, they would not run the risk of being affected by that painful and malignant disease?—There is very little evidence of such risk being incurred.

In several of the prisons from which you have received reports, there is less sustenance given than is given in the Penitentiary, but is there any one in which there is so much liquid?—I think not.

In the course of your medical practice, have you been in the habit of attending the poor?—I have, very much.

When a poor person has had a pound of bread per day, or a pound and a half, two pints of oat gruel, six ounces of meat boiled down in half a pint of broth, with one pound of potatoes, on three days of the week; and on the other three days, a quart of broth thickened with Scotch barley, rice, pease or potatoes, with a pound of potatoes, have you found bowel complaints very common?—No, I have not.

Do you then attribute the complaint you found in the Penitentiary, in any great degree, to the diet of the prisoners?—I do; to the diet, combined with the other causes which exist in the Penitentiary.

Of which cold is one?—Yes.

But not to the peculiar nature of the atmosphere, or dampness?—No.

You imagine that absence of exercise, combined with cold, is one of the material causes of this sickness?—The absence of exercise attended with occupation and interest; I do not consider the exercise at present in the Penitentiary to be insufficient, considering the circumstances in which the prisoners are.

Will you state again what are the causes to which you ascribe this sickness?—The diet, I consider as the principal cause; the severity of the winter has contributed its share; and also various moral causes which are inseparable from confinement in a prison.

You admit, probably, that the dietary of those prisoners is nearly the dietary of a great proportion of the labouring poor of this country?—Certainly.

In

In cases of dysentery, is not the use of mercury very prevalent, and almost universal?—It is generally prevalent.

Particularly on board His Majesty's ships of war?—I have no experience as to naval practice.

You have stated that that complaint is not contagious; have you been in foreign countries?—I have been on the Continent.

Has not that sentiment universally prevailed on the continent of Europe, that dysentery is contagious?—I am not aware that it has.

But you are aware that mercury is in universal use in that complaint?—Among British practitioners it is.

Is it not true, generally speaking, that when the mouth becomes affected, the violent irritation of the bowels begins to diminish?—That is usually the case in genuine dysentery; in scorbutic dysentery, the same rule may not apply.

To the best of your opinion, the atmosphere of the Penitentiary is not injurious to the health of the prisoners?—I think it has not contributed to this disease; whether it may generally have impaired the health of the prisoners I am not prepared to say, not having observed their state of health for a sufficiently long period.

Have you not observed, in the course of your practice, that the neighbourhood of miasmata, or marshy ground, affects different individuals in a very extraordinary manner, that is, that persons of a weak and sickly frame are much more likely to be affected by it than those of a stronger habit?—That is certainly the case.

That is nearly universally true?—Pretty generally so.

You have mentioned, that in some prisons a less quantity of food is allowed than even in the late dietary which was found so deficient in the Penitentiary; in those prisons, is the quantum of exercise just the same as that in the Penitentiary?—I believe nearly the same; I do not recollect precisely.

Was there any appearance of sea scurvy in Stafford and Devizes?—There was none reported in the accounts received.

Have you any further information to give to the Committee on topics to which your attention has not been specially called?—Nothing occurs to me.

You know what the tread-mill is; do you consider that it is calculated to injure the individuals at all who are employed in that way?—Reasoning without experience, I should not think it would injure the prisoners.

(*To Dr. P. M. Latham.*)—Is that your opinion?—Certainly; and as far as medical opinion has been ascertained upon this subject, I understand there is only the objection of one medical man to the employment of the tread mill, and he says it is calculated to produce hernia.

Are you of that opinion?—I have not seen the tread mill myself.

(*To Dr. Roget.*)—Are you acquainted with the gaol of Newgate?—I am not.

Or any other large prison in the metropolis?—No.

Are you of opinion, that if prisoners in any other prison of the metropolis not near the river Thames; for example, in the prisons of the city of London or Cold Bath Fields; had been confined to the same diet as has been practised at the Penitentiary, and managed precisely in the same manner, they would have been liable to the same sort of complaints?—I think they would.

Do you happen to know whether there is any such complaint in the prison at Cold Bath Fields?—I do not.

(*To Dr. Latham.*)—You have heard the evidence that has been given by Dr. Roget, have you any information to give to the Committee upon the same subject?—I judge by the questions which were put to Dr. Roget, that the Committee doubt whether the fact was established of the prevalence of scurvy as early in the Penitentiary as we have stated in the Report. Dr. Roget said, we ascertained it from the evidence of the prisoners there; we have stated, that a few cases of scurvy appeared as early as the month of November, and we had this, it is true, upon the evidence of the prisoners themselves, and we found a great difficulty in fixing the prisoners to particular dates; but, with respect to one prisoner, we ascertained this fact, which seems to be incontrovertible, as involving a circumstance which must have served to fix the date in her own memory, she was made wardswoman early in November, and the spots which were then upon her body she had observed before that time.

And those spots were scorbutic?—Yes.

Have you reason to believe that the disease is breaking down, and that within a reasonable time it will be conquered, and that the health of the establishment will

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be restored?—All the relapsed cases are less severe than they originally were, and there is no one of the relapsed cases concerning which we have any apprehension at this moment.

Are the new cases less severe than they were in the earlier part of the year?—With respect to new cases, at the latter end of last week I went round the infirmaries, for the express purpose of ascertaining how many new cases there were, and they did not amount to more than eight.

Do you know what has been the number of deaths since the beginning of the year?—Twenty-seven; thirteen men and fourteen women, from the first of January up to yesterday.

What has been the number of deaths in consequence of the scurvy and the diarrhoea?—Ten absolutely of this disease.

Are there many cases of decline in the hospital at present?—(*Dr. Roget.*) Yes.

Do you mean, decline connected with this complaint?—No; pulmonary consumption.

Does not this disease show itself in pulmonary consumption?—No, they are quite distinct.

To what do you ascribe the prevalence of pulmonary complaints in that situation?—They do not appear to be particularly prevalent in the Penitentiary.

Do you recollect how many cases there were?—I do not recollect the exact number.

Are there three per cent upon the population of the prison?—It is considerably under three per cent.

You have stated, that a woman was afflicted with spots as early as November, how do you know that those spots were scorbutic?—(*Dr. P. M. Latham.*) Of course, it entirely rests upon her evidence; we saw certain spots upon her, which we knew to be scorbutic; and she stated, that she had spots, precisely of the same character in the month of November.

At what period did you see those spots?—In the commencement of March.

It is only her evidence upon which you rested then?—Just so.

Had you had any previous experience of the disease called sea scurvy, before you went into the Penitentiary?—All the cases of scurvy I have seen, have been single, and occasional cases of scurvy, such as occur in the London hospitals.

(*Dr. Roget.*)—My experience is of the same kind; I have seen occasional cases, in workhouses and hospitals.

Sea scurvy?—(*Dr. P. M. Latham.*) It is found there is no distinction; that the disease known by the name of sea scurvy is in fact amphibious.

(*To Dr. Roget.*)—Are you not in the habit of attending one of the dispensaries?—I am; I have been physician to the Northern Dispensary for the last thirteen years.

Whenever there is low diet and diminished food, is not that disease, whether on board ship or on shore, one of common occurrence?—(*Dr. P. M. Latham.*) I do not know that it is one of common occurrence on shore; it is considered that any causes which are calculated to depress, may possibly produce this disease among many others.

Do you know, as a medical fact, that in besieged towns it is a disease of common occurrence, where inhabitants are straitened for food?—Yes.

Does not that arise more from the nature of the food than from the paucity of the food?—As a cause for the introduction of the disease, it is hardly possible to make a distinction between paucity of food and improper quality of food; both operate equally injuriously.

Is not the constitution affected by salt meat; does not that produce scurvy?—Yes; but I do not know that that is an exclusive cause of scurvy.

Are you aware whether, in besieged towns, the disorder has not prevailed in consequence of the nature of the food, and not the diminished quantity of it?—Yes.

You just now mentioned a woman having stated to you, that she had been subject to those spots early in November; did she at that time state having been subject to any medical treatment for those spots?—No.

Had she in the interim, between the month of November and the time when she spoke to you, been well again?—No; the spots which she had observed in November, still continued down to the time when we saw her.

How long had she been in prison?—She was of the second class, and probably she had been a considerable time in prison, as I judge by her number; the register number was 329.

(To

(To Dr. Roget.)—In the change of diet which you have given in, as recommended in the Report, you have exchanged the brown bread into white?—We have.

Upon what principle did you do that?—We considered brown bread as much more likely to disorder the bowels in their then state of irritability.

You think that, in general, brown bread contains in it something more purgative than white?—Yes.

Dr. Roget.

(May 16.)

Alexander Copland Hutchison, M.D. called in; and Examined.

HOW long were you principal medical officer in the Penitentiary?—Very nearly seven years.

As you filled that situation at the period when this disease was at its height, will you inform the Committee what you should consider to have been its cause?—I should think insufficiency of nourishment, and want of proper air and exercise, the chief causes.

Was it not in July that the new dietary was established?—I believe it was in July.

Did you consider the old dietary as sufficient?—I thought, with the committee of the Penitentiary, that it was rather too much.

What symptoms were there among the prisoners of its being too much?—A fullness of habit.

In point of fact, did it not happen at times that portions of this food was not even eaten by the prisoners?—Sometimes.

And the effect upon the general health of the prisoners was plethora?—Yes.

Is it within your knowledge, that a great deal of food was carried out of the prison, potatoes for instance?—Potatoes I believe were.

As not being wanted by the prisoners?—Yes.

Carried away in the pig-wash?—Yes.

When the new dietary was established in July last, were you consulted, and your opinion taken upon the change?—Not in July.

When was it first taken?—On the 18th of March 1822; I had been however consulted upon the subject of the change of dietary, by different members of the committee, for a year or two previous to their applying to me officially for my opinion, in regard to what reduction the then existing dietary could bear, with due regard to the health of the prisoners.

Did you propose to the committee any alteration in the dietary?—In consequence of their application to me on the 18th of March 1822, I addressed a letter to the committee, dated the 22d of March; in which letter I stated, that I thought the then existing diet to be too high; I stated my reasons why it should not be reduced too much, and those observations were followed by the scheme of diet which I submitted, with deference to the opinion of the committee; after this, my letter goes on to say, that the question involves some serious considerations, and I found it one of very great difficulty to answer precisely; I therefore suggested to the committee, the propriety of consulting some medical men of science in this town on so important a subject, as making any great alteration in the dietary of the prisoners; in that letter I mentioned the names of Dr. Wollaston, Sir Gilbert Blane, Dr. Baillie, Sir Everard Home, and Mr. Cline.

By that letter you recommended, that the dietary for the Penitentiary should stand thus:—"The daily allowance of bread to be precisely what it now is; gruel the same, night and morning, warm; and one quart of broth to the males, as now made (or with ox cheeks); the same quantity to the females employed in the wash-house and laundry; the other females, one pint and half during six days in a week; eight ounces of meat, the same as heretofore, on Sundays, with one pound of boiled potatoes, omitting broth on this day altogether for every description of prisoners." What do you mean by "as now made, or with ox cheeks"?—I meant merely that the broth should be of the same strength and quality, as was then issued to the prisoners.

The Committee are to understand, that according to your recommendation, the allowance should be, the juice of five ounces of meat in the soup, to each prisoner daily?—It will appear by my letter of the 22d March 1822, which is in evidence before the Committee, that the allowance of broth recommended by me, was twenty-one pints a week for a male and female jointly, (the male having more than the female); and I estimate, that this weekly quantity would contain the nutriment of twenty-eight ounces of raw meat.

Dr. Hutchison.

Dr. Hutchison.

(May 16.)

In addition, eight ounces of meat, the same as heretofore, on Sundays, with one pound of boiled potatoes, omitting broth on that day altogether?—Yes; which eight ounces of solid meat, (being sixteen ounces to a male and female jointly, and weighed when boiled) I estimate to be in like manner derived from twenty ounces of raw meat; thus raising the joint allowance, to be weekly supplied to a male and female together, to such a quantity of nutriment as could be derived from forty-eight ounces of raw meat weighed without bone.

That amounts to thirty-eight ounces of meat weekly; eight solid, and thirty liquid?—It rather appeared, that the scheme of diet proposed by me, recommended in substance, that for each couple of male and female prisoners, considered jointly, there should be allowed every week, a consumption of forty-eight ounces of undressed animal food; as was fully evident from a calculation which I had made to me by a friend.

Do not talk of your friend's calculation at this moment; you have stated to the Committee, that taking one day with another, you proposed in your dietary, that each person should have the juice of five ounces of meat in a day, in his soup, and on Sundays eight ounces of solid meat, there are six days in the week independent of Sundays, that would make thirty, and eight ounces on the Sunday in solid; your recommendation would amount therefore to the juice of thirty ounces of meat per week, and eight ounces in solid?—I beg to refer to the recommendation itself, which is in evidence before the Committee, and from which it will obviously appear, that the allowance of broth and meat together, which I proposed for both a male and a female, was equivalent to forty-eight ounces of undressed meat per week.

What was the allowance in the old dietary?—The old dietary allowance, according to my calculation, contained the result of seventy-six ounces of raw meat per week, for a male and female together.

What was it for each?—There were six ounces of clods and stickings four days in the week, after being boiled, and without bone.

Of solid meat?—Yes.

Soup on three days?—Yes; and a small quantity of broth on the day they had the meat.

Altogether, what was the difference between your plan, in point of reduction of food, and the old dietary?—By the old scheme, the week's diet for a male and female together, consisted, in respect of animal food, of forty-eight ounces of boiled meat and thirteen pints of broth; and I know that such a quantity of food, having particular regard to the strength and quality of the broth, as it was then given, is the produce of seventy-six ounces of raw meat, weighed free of bone; whereas the weekly allowance of dietary proposed by me, for a male and female together, was to consist, in respect of animal food, of sixteen ounces of boiled meat and twenty-one pints of broth, such broth to be of the very same strength and quality as that previously in use; and I know that this last quantity of food would result from forty-eight ounces of raw meat free of bone: the proportion, therefore, which the animal food, in the old scheme, bore to that in the dietary proposed by me, was as 76 to 48, which is nearly as three to two.

The old dietary had more of the animal fibre than yours?—Considerably.

Therefore the alteration in the quantum of the dietary was a reduction in the solid meat?—Yes, but with some increase of the liquid nutriment.

According to your plan then, there would have been an increase of the quantity of meat consumed in the ratio of thirty-eight to twenty-four, though to the prisoners the quantity of food would have been less, from the fibre being taken away?—I do not understand the question.

Under the old dietary, twenty-four ounces of solid meat was given in a week; you proposed giving eight ounces of solid and thirty of the juice; therefore, as far as the consumption in the prison was concerned, there would have been a greater quantity of meat consumed, though the prisoners would not have it in the same form?—It will rather appear, from what has been stated, that although the liquid nutriment proposed by me was greater than on the old plan, the quantity of animal matter therein contained was, on the whole, one third less.

Are the Committee to understand, that by the fibre you mean soup and bouillè?—No, solid meat.

There were twenty-four ounces given, solid and fluid, in a week; twenty-four ounces consumed by each individual in a week; by your plan, there would have been thirty-eight consumed?—I have already explained, that by my plan there would have

have been no more than the produce of forty-eight ounces of raw meat consumed in a week, by both a male and a female jointly.

According to that statement, the consumption of each person would be the juice of five-and-twenty ounces, and the solid of eight?—There would have been eight ounces of boiled meat to each person, or sixteen ounces to a male and female together, besides twenty-one pints of broth of the same strength as heretofore in use; but this quantity of food, including both the boiled meat and the broth together, would result from forty-eight ounces of undressed meat, weighed free of bone.

Did you state any quantity of ox cheeks?—No.

Do you know whether the opinion of any medical persons was taken upon the change of the dietary?—There was an opinion; I procured, for the Committee, the opinion of a friend of mine, who recommended four ounces of meat four days in a week; that was Dr. Magennis, an old colleague of mine, and formerly surgeon to prisoners of war at Norman-cross.

Do you know whether Sir James Macgregor was consulted?—Sir James Macgregor, I believe, was consulted; indeed I know he was; for he asked me, in his own office, concerning the change of diet; and when I named to him the scheme I had formed, he said, he was very glad to find that our dietary was so nearly alike, for that his was as near to mine as possible.

Did you ever see any scheme delivered in by Sir James Macgregor?—No, I did not.

Have you ever heard that he delivered in any scheme?—He told me lately that he sent a note to the committee of the Penitentiary, and which it was his intention to apply to the committee for a copy of.

Have you ever heard him say, that he disapproved of the old dietary, or, that he approved of the new?—No; I heard him say, in the secretary's office, not long since, in the presence of Drs. Roget and Latham and of Mr. Holford, that the dietary the committee had fixed, was lower than that which he recommended.

Did he, at that time, when he made that declaration, acknowledge, in your presence, that he had seen the dietary so settled, and had approved of it?—No, he did not.

You say you did consider a part of the cause of the prevailing illness to be a want of sufficient air and exercise; will you state what you conceive the quantity of air and exercise allowed to be?—In the month of October I reported to the committee, that several of the prisoners told me they had not more than five minutes exercise; and which I then stated to be too little to preserve health.

Did you verify that by any communication to any officer of the establishment?—I made a statement in writing to the committee of that representation, which I considered it my duty to do; the men complained to me that they had not more exercise than five minutes; and having so made this statement to the committee, if they had wished to make any inquiry or investigation into the truth of that statement at the time, I presume they would have called upon me, or sent for me, or written to me, upon the subject.

Do you recollect at what time it was that that complaint was made?—On the first day or two in October.

Was Mr. Holford with you at the time it was made?—I cannot recollect.

Did not you refer to Mr. Holford, in proof that such a complaint had been made in the presence of Dr. Roget and Dr. Latham, in conversation at the Penitentiary?—The complaint made to me I officially communicated to the committee.

Did you not refer to Mr. Holford, in proof that such a complaint had been made in the presence of certain men?—Yes, as one of the members of the committee to whom I had officially communicated it.

Must not Mr. Holford therefore have been with you at the time that complaint was made by the prisoners?—Mr. Holford was not with me at the time, to the best of my recollection, otherwise there would have been no necessity for my writing officially to the committee upon the subject.

Was not he going round the prison with you at the time?—No, he was not.

Is your opinion, that the want of air and exercise is, in part, the occasion of the prevailing sickness, founded upon the presumption that, at one period, any of the prisoners had only five minutes exercise during the day?—I merely stated that the prisoners came to me and complained of their not having more than five minutes walking exercise. This representation of mine was a day or two only after the prisoners had so reported it to me, and that was the time that I supposed inquiry would have taken place.

Dr. Hutchison.

(May 16.)

Dr. Hutchison.

(May 16.)

Do you know what quantity of air and exercise is allowed by the rules of the prison?—I cannot say precisely at this moment; but in my professional communications with the committee, I invariably referred to the printed rules; and from the printed rules I saw precisely what allowance of air and exercise prisoners had.

Do you now recollect, or know, what is the period of air and exercise allowed to the prisoners in the Penitentiary?—It differs very much between winter and summer.

What is it in each?—I believe in the winter months, I am not quite certain, but I believe ten minutes or a quarter of an hour was allowed, once or twice a day; but it is optional, there being no rule for it in winter.

By the regulations?—I have already stated there was no rule for the winter.

Do not you include the time of the pump and mill, in air and exercise?—The pump and mill I conceive to give exercise chiefly to the arms and the trunk, and is not like walking exercise; and this is to be the more remarked, because of the occupations of the prisoners, they being either tailors or shoemakers; therefore, from their sedentary habits, they require more exercise to keep them in health than persons of another description.

When the prisoners are at work in the mill, do not they stand upon their feet?—Yes; but standing upon their feet has not the beneficial effect of walking.

Is there no motion of the muscles, from the whole body moving with the wheel?—It is not alternately moving the arms which is so beneficial as other exercise, such as the alternate action of the muscles of the legs and thighs.

Do you know whether the committee have, or not, made any inquiry as to the truth of the fact communicated by you?—Not until after Drs. Roget and Latham were called in.

Do you now believe, that the committee were misled to suppose that they had only five minutes air and exercise in walking, in the course of twenty-four hours?—It is impossible for me to suppose what the opinion of the committee might be upon that occasion, or whether they were misled or not; all I had to do was to make the statement to the committee as it came to me from the prisoners, leaving the rest to their judgment and investigation.

You have stated, that you believe the want of air and exercise to be one of the causes of this disease; do you now believe there ever was any period in which the prisoners had only five minutes air and walking during that day?—I am not giving my own opinion; but having it upon the *ipse dixit* of the prisoners, that they were only allowed five minutes, it was my duty to report it.

You have stated, that you believe a part of the cause of the illness to be a want of air and exercise; on what belief of the quantity is that supposition founded?—It is because the prisoners have frequently complained to me, that their legs and knees were sore and cramped by sitting so long; and from looking over the instructions and rules of the institution, it appeared to me that they had not sufficient exercise; and I frequently mentioned to Mr. Holford, particularly, when he remarked as to tailors, that they did the same in private life; I said no, for they had to run a considerable distance to dinner, they had the Sundays, and had to run about, sometimes, from morning to night; all those circumstances have passed in conversation, and I have on various occasions continued to urge the necessity of greater exercise.

You have stated, that, in all your official communications, complaining of the want of air and exercise, you referred to the rules; can you then state any one official communication in which reference was made to the rules?—I meant by that answer to imply, that, in making my official communications (to be as correct as possible, where I had to give them on quantity) I referred for correctness sake (whilst writing) to the rules.

Can you state any official communication, made by you to the committee, upon the subject of air and exercise, except that statement of the 4th of October?—Yes, there is one; (it is unfortunate for me that I did not keep copies of my letters until last June, except that one of the 22d of March 1822. I have copies of my replies to letters from the committee; some of them with, and some without dates; but invariably since June last, I have kept copies of *all* my communications.) There is one letter I say to which I beg to call the attention of the Committee; it is a letter which cannot be forgotten; in which I used the word "trot." Mr. Holford said, "You mean, double quick time;" I said, "I thought the prisoners should be made to move quicker

quicker in the yard, as quickly as they could; that this would very much tend to the preservation of the health of the prisoners."

Dr. Hutchison.

Do you mean, that that passed in a letter, or a conversation?—In a letter; I am quite certain of that.

(May 16.)

Dr. P. M. Latham called in; and further Examined.

WHAT reason had you and Dr. Roget for adopting the use of oranges, instead of the use of lemons?—Dr. Roget and myself had no doubt whatever of the antiscorbutic efficacy of oranges; we considered the acid of oranges and the acid of lemons to be essentially the same; it rests upon the best authority that oranges will cure scurvy; I may particularly refer to a paper of Dr. Heberden's, a man of some authority, in the Medical Transactions of the College of Physicians, in which he relates several cases of aggravated scurvy in St. George's hospital cured by oranges; for my own part, all the cases of scurvy I had seen, up to that time, had been cured by oranges, and not by lemons; considering then that oranges were as efficacious as lemons for the cure of scurvy, we gave the preference to oranges as a more suitable article of diet; we considered that, if a lemon was given to each prisoner, there was a chance that he would not eat the lemon, but if three oranges a day were given to each prisoner it was certain he would eat the oranges.

Dr. Latham.

Do you happen to have heard whether this disorder has prevailed in Norwich gaol lately, and how it has been cured?—I happen to know for a certainty that it has prevailed in Norwich gaol, and has been cured by oranges.

Sir Gilbert Blane, Bart. M. D. called in; and Examined.

YOU have heard the statement made by Dr. Latham upon this subject; do you consider oranges as effective in curing the scorbutic complaint as lemons?—By no means; it is established on the most perfect practice, that of our navy, in thousands of cases, that there is not the smallest resemblance in oranges to the virtue of lemons.

*Sir
Gilbert Blane.*

If a ship, infected by the scurvy, were at Lisbon, or an island where oranges were to be procured, should you make use of them?—By no means, if I was in a situation where I could by any means procure lemons; the use of oranges might diminish it, as apples and pears would, but not act as a specific, as lemons would; merely as fresh fruit; oranges are perfectly inert in the sea scurvy, there is not any virtue in them, except as fresh fruit. I have had thirty-six ships at sea, in an orange country, where we could have had any number, but the oranges did not make the least impression.

What is the difference between the sea scurvy and the land scurvy?—What is commonly called land scurvy, has not the least resemblance to sea scurvy; what is commonly called scurvy, in common language, is a cutaneous disease, it has not the least resemblance to sea scurvy; by some accident in the language they have been called by the same name; land scurvy takes its name from scurf; sea scurvy gets its name from a Saxon word, meaning a sore mouth.

Does the land scurvy affect the intestines?—No.

If this disorder has affected the intestines, is it not a proof that it partakes of the nature of sea scurvy?—Entirely so.

Do you know any thing of the nature of the disease in the Penitentiary?—Only by hearsay.

Do you believe that to be sea scurvy, or not?—From the description, I have no doubt that it is sea scurvy.

You have seen many people in the last stages of sea scurvy; when that appears upon the flesh or muscle of a person totally diseased with sea scurvy, does it not leave a complete wound upon that flesh or muscle, as much as if you pressed upon so much putty?—On the lower limbs.

Did you ever hear that that was the case in the Penitentiary?—No, I never heard it; if it was the sea scurvy, the sea scurvy shows itself, first by a sore mouth and then in the legs.

How long have you been in a situation to be particularly conversant with the sea scurvy?—I was four years physician to the fleet, in the West Indies, when from thirty to forty sail of the line were under my medical superintendence.

Lunæ, 26 die Maii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Alexander C. Hutchison, M. D. called in; and further Examined.

Dr. Hutchison.

(May 26.)

AT what period were you first acquainted with the state of the disease in the Penitentiary?—Of the scurvy?

Yes?—About the 11th, 12th or 13th of January.

In what form did the disease then present itself?—It appeared in the case of a man of the name of David Jones, which was the first case of true scurvy that appeared among the convicts.

What do you mean by true scurvy?—I mean by that answer to imply, that it was the scurvy, without hesitation.

Were there any symptoms prior to that which would have made you believe that though there might not be what you call true scurvy, there might be incipient scurvy amongst the convicts?—Not as it occurred to my knowledge.

Did you observe, at the fall of last year, any failure in the strength, or any change in the outward appearance of the prisoners?—No, I did not.

Did the matron or any other persons in the Penitentiary, communicate to you that such had been her or their observation?—One of the gentlemen of the committee, I believe Mr. Rennel, asked me, in the month of January last, whether I did not observe, that the prisoners looked thinner and paler than they had been accustomed to do previous to the change of the dietary; my answer was, that they did not appear to me to look more peaked in the countenance, than what we might naturally attribute to the severity of the weather that then prevailed.

Was that question asked in the committee, or asked you out of the committee?—In the committee.

Prior then to the month of January, was any report made to you by any one, that the strength of the prisoners was failing, that they could do less work, and that the women particularly, felt faintness, occasionally?—Certainly not.

Was any complaint made to you by the prisoners themselves, that either the food was insufficient in quantity, or that it did not agree with them?—They were constantly making such representations to me when I went round, more or less; but the complaints were more numerous the first three months of the new dietary than subsequently, excepting from January last, when they increased their complaints very much.

Then during the months of August, September, and October, the complaints on the part of the prisoners were very great, in respect to food?—Greater than subsequently.

That in November and December those complaints ceased generally, and in January they were renewed again?—Yes; in the female department.

Did you report to the committee that those complaints were made to you?—I did.

In what way did you report, was it verbally, or by letter?—By letter.

Have you got that letter?—I think I have; and I mentioned it in more than one letter.

The Committee are speaking of the period between July and January?—If the Committee will give me leave to refer to the document, I can speak more decidedly.

[The witness referred to a paper.]

I do not know how frequently I may have done it; but I will produce to the Committee a letter dated in August, which I will read: "In making my monthly inspection of the prison and prisoners yesterday, I was beset by two or three parties, requesting that I would represent to the committee the inadequacy of the dietary, as lately established, and which they said would be allowed, if I were to do so, some of the principal officers having so informed them; I have therefore to request, assuming this statement to be true, that the committee will be pleased to direct those officers to refrain in future from such representations, as they ought to be aware, that I have no such power as that now described."

Was that letter addressed to the committee?—It was addressed to the secretary, and dated the 7th of August.

As the new dietary was established in July, you must have had, between July and

and Christmas, several monthly reports to make ; in those monthly reports, did you state the complaints of the prisoners in respect of the deficiency of food ?—I believe my reports were made at that period, as to the dietary, quarterly.

Dr. Hutchison.

(May 26.)

What was the date of the quarterly report at the end of the year, between August and January ?—4th October.

Have you got the quarterly report you made on the 4th of October ?—It is printed by order of the House.

Did you, for a certain time, sign the monthly reports, along with Mr. Pratt ?—I did, for several years.

When did you leave off so doing ?—I cannot charge my memory with the dates ; my quarterly reports will show ; and the monthly reports.

Why did you so leave off ?—Because it was the surgeon's duty, according to the rules and regulations.

Did you, during the whole of that period, watch narrowly the health of the persons in the Penitentiary, to see the effect of the change of dietary ?—I did.

Is the Committee then to understand, that from July to January, notwithstanding the complaints that the people made, as to the deficiency of the food, there was no external appearance which attracted your observation, which went to prove that their health had suffered by that deficiency ?—Not any.

Is it a part of your duty to make the personal inspection of every prisoner in the Penitentiary ?—At the beginning of each month it is.

Is that made merely by looking at them, or are they stripped and examined ?—Merely by looking at them, unless my attention were called to any particular case by the surgeon or matron.

Did you do that during all the months of August, September, October, November and December ?—I did.

And during the whole of that period there was no appearance of increased ill health, externally, in the prisoners ; no complaints of failure of strength, either from them or any person in the Penitentiary ?—It is impossible for me to charge my memory as to what complaints the prisoners themselves made on that score, but there certainly was no complaint made to me, officially or otherwise, by either the surgeon or matron.

Did the taskmaster at the mills ever state to you, that the prisoners work less strongly and vigorously than heretofore ?—I cannot recollect that they did.

You have stated, that the prisoners complained of the deficiency of food ; did any of the officers of the Penitentiary state to you, that in their opinion it was deficient ?—Yes, they did.

At what period ?—From the first day, I believe, almost, that the reduction took place, up to the last.

Who are the officers that made that complaint ?—There may be more than I am about to name ; but I will mention the surgeon and matron, and some of the nurses ; those are all I recollect at present.

Was it your opinion, during the whole of that period, that those complaints, on the part of the prisoners, and those opinions on the part of the officers of the establishment, were unfounded ?—I had to use my own sense of what I judged to be the truth, after hearing the statement of the prisoners, and the statement of the officers ; I confess, upon looking at them, they did not appear to me to be more emaciated or weaker, or more poor in their habit, taking the severe cold into consideration, than they were before, and I attributed the observation of the nurses to the unkind feeling they evinced to that change of diet the committee thought fit to adopt.

Was it ever represented to you, that the women brought up the soup in the evening ; that their stomachs rejected it ?—That was in the month of January, when so much sickness prevailed ; not before.

Are you sure no complaint of the sort was made to you in November last ?—Not to my recollection ; in January it was, or at the end of December, when sickness prevailed very much in the female department, and the males remaining exempt from it.

You have stated, that the disease showed itself in scurvy, early in January ; could that disease have been latent in a considerable number, or most of those persons, who have since been affected by it prior to that period ?—I took some notes on this occasion, which, with the permission of the Committee, I should be happy to refer to.

Dr. Hutchison.

(May 26.)

At what period?—At the period the scurvy first made its appearance. David Jones was the first case; Mary Ann Davison, William Payne, Charles Evans, and Elizabeth Malony; those were the five cases that existed, and only existed in the institution, to my knowledge, on the 8th of February, when I addressed my first letter to the committee. All those recovered, excepting Davison, who died of a consumption; and Jones, the first and worst case, was discharged, cured, on the 27th of February. Those were all the cases in which the scurvy manifested itself up to the date of the 8th of February, when I addressed my letter to the committee. The first was received into the infirmary, by my notes, on the 2d of January, with a pain in his side, on which account I prescribed for him the blue pill, &c. Some days after this he complained of a pain or rigidity of his left leg, the side on which he had previously complained of pain; Mr. Pratt said it was nothing. The next visit he still complained; I then insisted on seeing the leg affected; the disease was evident, and I put him on a full and permanent diet, and continued the medicine. In one of the next few visits, Mr. Pratt inquired of me what that disease was; my reply was, that it was well known to me, and that he would soon recover. This brought the case towards the end of January, when I was requested to see an ecchymosed blotch on the thigh of the consumptive patient, Mary Ann Davison, who had been dying for months of phthisis pulmonalis; she was ordered as much nourishing food as she could take, with lemonade and oranges. Then followed the three other cases.

When I officially announced the existence of scurvy, I was unwilling to name the disease to the surgeon, fearing that the alarm would be soon spread over the prison, and perhaps the neighbourhood. It must be evident that my reserve arose from a respect to the committee, as I was not responsible for the diet; and had I made it public then, I might, perhaps, have saved myself from the imputation of inattention; now attempted to be cast upon me, from my not having regularly announced the disease. On the 2d of February, I ordered lemonjuice for those cases, in addition to the improved diet on which I placed them; but it was not until the 4th of that month that it could be procured from Apothecaries Hall. I then ordered fresh lemons; and on Mr. Pratt asking me, if he should send for a dozen, my reply was, "Send for a couple of baskets." This disease is well known, to such as have experience in it, to appear among a ship's company, for instance, affecting only one, two, or half a dozen cases, while the others will remain perfectly free from attack; and hence I had hoped such might have been the case in the Penitentiary, as it was an entirely new disease in that institution; and I deny that the disease could be traced further back, in any one individual, than the period I have fixed; it was immediately after the severe cold weather it began to show itself. In Cold Bath Fields prison, and in Norwich Castle, only five cases occurred in each.

You will see that the answer you have given in is composed of two things; the one the notes which you took of the cases, as they presented themselves; and the other, comments upon what has taken place; since, of course, the Committee understand, that it is only the report of the cases which you wrote at the time?—If the Committee choose to separate the two, of course they can do so; they can put the questions to me in another shape.

What was the date at which you took those notes as to those cases?—In January and February.

The observations could not have been made before the cases that took place occasioned them?—Of course not.

George P. Holford, Esq. a Member of the Committee, Examined.

*G. P. Holford,
Esq.*

HAVE you found the letter, dated 8th February 1822, written by Dr. Hutchison?—The letter that Dr. Hutchison has inquired after, I received from Mr. Courtenay, and I will explain the circumstances under which it came to my hand, being anxious that it should not be supposed that the Committee of the Penitentiary had been negligent in keeping their papers, or unwilling to produce such as they had; the address of this letter is, "To the Visitor for the time being at General Penitentiary, or to Geo. Holford, Esq." dated the 8th of February, the committee day; and it reached Mr. Courtenay after the committee was over, probably the Sunday or the Monday; the letter is in these words:—"Sir, symptoms of scurvy have shown themselves lately in the cases of four or five convicts. The disease is, however, slight; the gums being only affected in a small degree in one case. I have studiously avoided naming the disorder in the Penitentiary, lest unnecessary

unnecessary alarm should be created. The disease is now on the decline; not any new cases having appeared within these few days: but I shall keep a watchful eye over this new disease among the convicts, and shall report further if any material change takes place." On the 14th, a letter was written to the committee, which appears in the printed papers, in which it is stated, there are a few slight cases of scurvy among the prisoners, and more apprehensions are there expressed than in the former letter; and there are also contained, in this letter of the 14th of February, some recommendations; when the committee met, therefore, on the 15th, Mr. Courtenay considered the latter letter as the only important one at that time, and therefore did not bring the first letter to the committee, but has since found it among his papers.

G. P. Holford,
Esq.

(May 26.)

Alexander C. Hutchison, M. D. again called in, and Examined.

YOU have stated, the scurvy first made its appearance in a case of a man of the name of Jones, early in January?—About the eleventh, twelfth or thirteenth.

Dr. Hutchison.

That you had five cases between January and the eighth of February; and that at that period, you were called upon to see a scurvy mark in one of the legs of a female patient; did you, in consequence of seeing the disease increasing in extent, critically examine the legs of the other prisoners?—I did not, for the reasons I have already assigned, namely, that the disease sometimes showed itself in one or two or half a dozen cases, and went no further among the remainder of the persons.

Did you take it into your consideration, what was the cause of that disease for the first time making its appearance in the establishment?—In the two first cases in which it appeared, it appeared in the infirmary; and it is not an unusual thing for the scurvy to attack persons confined to bed, while others, living in the same situation, but who are going about, may be exempt from it; therefore I thought less seriously of the disease appearing in those cases than I might otherwise have done.

When did you first begin to think that the dietary had something to do with this disease?—Not until towards the end of February, perhaps a little beyond the middle; the 17th or 18th perhaps, or the 25th. I cannot fix the date exactly.

You have stated in a note which you have read from the paper written, that you did not name the disease out of respect to the Committee, you being not responsible for the diet?—Yes.

That letter was dated the 8th of February; at that time then, did you not begin to suspect the diet had something to do with it?—My mind was not made up fully on the subject? at one time I supposed that want of exercise might have as much to do with the disease as the food, the disease at that time being confined to a very few cases.

If you had been on board a ship, and you had found several cases of scurvy, and the seamen had been put on short allowance of food, should you not have considered that short allowance of food to have been one of the causes of the disease, would you not have examined the bodies of every seaman on board?—Not immediately, I should not; but if the disease had spread, I should of necessity have been more attentive to that subject.

Is it not the practice on board ship, when scurvy commences, strictly to examine the legs of the seamen on board, to see what fresh cases are making their appearance?—Rules differ in different ships; it depends very much upon the will of the captain.

In those ships in which you have been, was not that the practice?—In some it was, and in some not.

Do you not think that is a practice that ought always to take place?—Perhaps it might be advisable; in the instance of the Penitentiary, however, I beg to submit, whether that was not a duty that ought to have fallen more properly upon the surgeon.

You have stated to the Committee, that from the different services you have been in, you were well acquainted with the cases of scurvy; do you know whether the surgeon was equally well acquainted?—I should suppose not.

Did you state to Mr. Pratt, the surgeon, that the scurvy was in the establishment?—Not till after I had written my letter to the Committee.

You mean the letter of the 8th?—Yes.

Did you mention that to the consulting surgeon?—No, I did not, until after he saw it with his own eyes, because he was not in the habit of regularly visiting the prison or infirmaries.

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The Committee see, by your letter of the 14th of February, printed, which is addressed to the Committee of the General Penitentiary, you state that the want of exercise seems to be the principal cause of the complaints which were then so prevalent, there is still in this letter not one word about the dietary; the Committee wish to know distinctly from you, when you first believed the dietary had any thing to do with it, you having stated, during all this time, that complaints were constantly making to you, by the prisoners and officers of the establishment, of the deficiency of food?—On the 24th of February I mentioned, “I am now quite confident that the food is not sufficient to shield the prisoners against attacks of scurvy and scorbutic dysentery;” there is one thing which I think I ought not perhaps to notice at present, but in reference to this question it is but fair I should do so; I have in this letter, the last clause of the letter of the 24th, written the word “correct” in the place of “incorrect;” I cannot claim any indulgence from not having stated it, because I find in the original copy it is written as it is here printed; but I humbly submit it may be considered, from the context altogether, that the word should have been otherwise expressed.

On the 10th of January you write, “But if I were asked, on my oath, whether I considered this circumstance, namely the disease, as likely to have arisen from the change of the dietary, my answer should be in the negative;” on the 14th of February you did not say one word about the dietary; still, up to the 14th of February, it was your opinion, notwithstanding the complaints of the prisoners and the reports of the officers, that the dietary had nothing to do with it?—That observation, the first clause read of the letter of the 10th of January, alludes to a disease of a very distinct character, which prevailed only amongst the females at that time, namely, coughs and pulmonic complaints, and a few cases of diarrhoea, which were suspected to be of a threatening nature; that observation did not apply to the scurvy, it was not known at that time.

You say it is clear it would not apply to the scurvy, for the scurvy at that time was not known in the Penitentiary; it must apply then to the state of health in the Penitentiary, to the disease among the prisoners, be it what it may?—I should say, when I inspected the prison on Thursday the second day of February, I found the prisoners in general, those in the prison healthy, and those in the infirmary improving rapidly from the indisposition that attacked them, and in proof of this, Sir James M^c Gregor had stated to myself and others, that the state of health was very good in the prison; that being the case, and there being only four or five cases of scurvy existing on the 8th of February, I do think there was no great time lost in announcing the existence of the disease.

On the 14th of February you write this sentence, “There being a few slight cases of scurvy among the prisoners, I beg earnestly to state to the committee, unless the convicts be allowed a greater share of exercise than they at present enjoy, particularly in the winter months, I feel quite certain that the scurvy will not only not disappear from among them by the cure of those now labouring under that malady, but also that other diseases, no less direful in their consequences, will eventually make inroads among them;” in that letter, not a word is mentioned of the dietary, so that on the 14th of February 1823, it was exercise, and not additional food, to which you looked for the cure of the existing diseases and the prevention of any future ones?—It will be recollected, that the two first cases of scurvy, out of five that occurred, appeared in two convicts confined to bed with other diseases; they had been deprived of exercise of any kind, and consequently were more pre-disposed to the disease than they otherwise would have been.

That is not an answer to the question; the question was this; on the 14th February you write this sentence, “There being a few slight cases of scurvy among the prisoners, I beg earnestly to state to the committee, that unless the convicts be allowed a greater share of exercise than they at present enjoy, particularly in the winter months, I feel quite certain that the scurvy will not only not disappear from among them by the cure of those now labouring under that malady, but also that other diseases, no less direful in their consequences, will eventually make inroads among them;” in that letter not a word is mentioned of the dietary, so that on the 14th of February 1823, it was exercise and not additional food to which you looked for the cure of the existing disease and the prevention of any future ones?—I wrote that sentence under the impression, as I before remarked, that the disease appearing in those who were confined to bed, it might be from want of exercise which made it appear among those, and if that had not been the case, it might not have occurred till it appeared in the others.

Did

Did you suspect the dietary to be any cause of the disease?—Seeing the countenances of the prisoners in prison generally full florid and plump, I did not think myself justified in setting myself against the diet suggested by the committee.

The question is not as to your being justified in setting yourself against it, the question is, did you conceive the deficiency of the diet to be one of the causes of the disease?—It would have been impossible for me then to decide; if I had decided that was the case, I must have represented it to the committee.

Did you not, at that period, take it into your consideration?—I stated in one of my letters, it might be a year or two possibly before the change of dietary could make any impression on the constitution of the convicts, and therefore I did not think myself justified in making a formal complaint of it.

Had not the committee, but a short period prior to the 14th of February, asked your opinion as to the dietary?—In January.

What answer did you give then?—I mentioned what I stated in my report, that the prisoners did not appear to suffer in consequence of the diet; I think it was Saturday the 11th of January the question was asked me in the committee.

As you did not name, in the letter of the 14th of February, the dietary as being any cause of the then prevailing disease, why did you recommend that each of the prisoners should be allowed a hard biscuit daily to eat with their soup in the evening?—Because I was aware that the prisoners had no bread allowed them for supper, although they had for breakfast and dinner, and I thought it would be more comfortable to them; besides, there were several glandular swellings about the necks of some of the juvenile prisoners, and it struck me that a hard biscuit for them to eat might increase the action of the salivary glands.

Was that your own proposition, or the proposition of one of the committee?—It was my own; Mr. Rennel asked me why I recommended the biscuit, and I gave him that reason.

Did you recommend this biscuit because you thought that the disease then existing in the prison had any connection whatever with the deficiency of food?—It is impossible for me to say, at this distance of time, what might have passed in my mind at that time, I have no memorandum of it.

The Committee wish to know distinctly from you, when you first began to think that a want of food was a cause of the disease; the Committee have now got to the 14th of February, they see on the 24th of February that you recommended additional vegetables, did you then think that deficiency of food was any cause of the complaint in the establishment?—I recommended an increase of vegetables as a general thing in the prison, merely as a preventive against the appearance of scurvy among the prisoners.

When you recommended the bread and vegetables, did you recommend them as an antiseptic to the scurvy, or to give additional tone and strength to the constitutions of the prisoners?—As an antiseptic I gave the vegetables, but not the biscuits.

On the 28th of February, it was for the first time that it seems to have broke in upon your mind, that it was the deficiency of meat that was the cause of the disease, and you wrote the letter which is printed, and is now before us?—I did that, being under three weeks only subsequently to first noticing it to the committee.

Had you, at that period, examined the legs and the persons of the prisoners in the Penitentiary?—Not on the 28th of February; on the next day it was my intention so to have done, but Drs. Roget and Latham were called in and joined me, and had the whole charge of the sick by resolution of committee dated 28th February.

Might not the scurvy have been lurking in the legs of many of the prisoners in the Penitentiary during the whole of the months of January and February?—It is impossible for me to answer that question.

When you examined them, how many legs did you find showing marks of the disease?—At a round guess, about half of the whole of the prisoners.

You have stated, in your letters of the 8th and 14th of February, there were a few light cases of scurvy among the prisoners; on the 24th of February you say, in addition to those, there is "one well-marked case of scurvy, and two others of a less distinct character;" and on the 28th of February, that there were "four more cases of scurvy;" the Committee wish to know how many cases were discovered in the examination which began on the 1st of March?—In the number of cases mentioned by me in these letters alluded to, it must be clear to the Committee I allude only to such as were labouring under that disease in the infirmary, where they were immediately under my care. When I mentioned, a little time since, that on the

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examination on the 3d of March, we found nearly half affected ; those were in the prison, not in the infirmary ; they never, therefore, had been under my care.

Will you mention in what part of the letter it appears those were cases only in the infirmary ?—Because my duties are confined chiefly to the infirmary ; the rules and instructions point that out ; I never went into the prison unless I was asked to go.

Do you not consider that the prisoners at large were under your care ?—If they were brought to the infirmary, then they would be under my immediate care ; the prisoners in the prison being under the immediate care of the surgeon, between the medical superintendent's monthly inspections.

Does the letter of the 28th of February really relate to the infirmary, or the prison at large ?—To both.

Why then is it to be understood, that the four cases of scurvy mentioned in the letter relate only to the infirmary ?—Because, the Committee must be aware, my monthly examination had not commenced, because I invariably stated I had examined all the prisoners and their cells, and that the prisoners appeared to be in good health ; in the beginning of every month, I reported I had so done to the committee.

Do not the instructions, although they prescribe the examination only on the 1st of every month, state that the general care of the medical management was under the medical superintendent ?—With the permission of the Committee, I will read the first three or four Rules of my instructions, which will put the Committee in possession of my duties. First, “ The principal medical superintendent shall have the superintendence of the medical department of the institution ; he shall visit the patients in the infirmaries every Monday and Friday, accompanied by the surgeon ; in all difficult and dangerous cases, he shall attend at least daily, or oftener, as the urgency of the case may require.” Rule the third says, “ On the first Monday in every month, or oftener, he shall, in conjunction with the surgeon, inspect every part of the prison, for the purpose of ascertaining that it is kept clean, and see that the prisoners are in a healthy state ; and in the event of complaint from the prisoners respecting the quality of the food, he shall be informed thereof by the governor, and shall, in conjunction with the surgeon, report the same to the visitors.” Now, as to the surgeon's instructions in Rule 3, it is stated, “ he shall keep a journal for each infirmary of the receipts and issues ; he shall frequently visit every part of the prison, and inspect the quality of the provisions delivered out to the prisoners ; he shall pay immediate attention to any prisoner who may seem to be out of health, and shall supply such prisoners with medicine in the prison, or order him or her to be removed to the infirmary at his discretion.” So that it will appear, that the prison is under the care of the surgeon during the interval of the monthly inspections, that the medical superintendent is confined to the infirmaries.

Are not all the duties of the surgeon exercised generally under the superintendence of the medical superintendent ?—When he is there, it is presumed the surgeon follows his directions.

Did not you, in the letter of the 10th of January, state, “ unless, indeed, some very unexpected indisposition were to arise among the prisoners in the mean while, of which I should give due notice to the committee, or the visitor for the time being ? ” had not the committee reason to suppose, that you would give them the earliest information of any disease among the prisoners, in the prison or in the infirmary ?—Yes ; they had, certainly ; and so I did.

Do not those words imply an engagement, on your part, to keep an eye upon the prison, as well as the infirmary ?—Yes ; but this disease did not show itself first in the prison ; but under my immediate care, in the infirmary.

After reading these words, do you still continue to think, that the infirmary was under you, and the prison under the surgeon ?—My answer to that question is this ; that I certainly never considered the prison as under my immediate care, but that I was always at my duty, and ready to visit any part of the prison, that the surgeon or the committee might call my attention to.

How many prisoners were discovered to have the scurvy, on the day that you and Doctors Latham and Roget made your examination ?—I cannot exactly recollect ; about half had appearances.

Do you believe that all those arose within the last month ?—It is impossible for me to answer that question.

Is not there reason to suppose, from that discovery, that the matter might have lurked

lurked in the prison without having been observed, for several months?—I should wish to speak from facts; and as I cannot answer that question decidedly, I hope the Committee will excuse my replying more fully to it.

In the letter written by you to the committee of the Penitentiary, and now before this Committee, you state, you expressed a wish when you first proposed the dietary, on the 22d of March 1822, for a consultation to be held; the Committee wish to know to what that passage alludes?—It alludes to the extreme difficulty I found in answering so important a question as that of making any great change in the dietary of the prisoners; and that I was anxious the committee should not take any step upon a recommendation of my own, without the concurrence of men of science.

The question was, when that wish was expressed, and to whom?—To the committee.

Verbally, or in writing?—In a letter.

You go on to say, that request was denied; the Committee want to know, how that appears?—It was not complied with to my knowledge; those gentlemen were not called in, for their opinion.

Is that letter all you refer to, when you say you expressed a wish for a consultation?—The consultation referred to the change of dietary.

When you say, you expressed a wish for a consultation, do you refer to any other expression except that which is found in the letter of the 22d of March?—No other.

In your recommendation in that letter, that broth should be made as now made, or with ox-checks, was any quantity of ox-cheek ever stated?—Certainly not.

Did you converse with Mr. Morton Pitt, upon the subject of the dietary, before its adoption in May last?—Before my letter, I had several conversations with him on the subject; whether I had subsequent to that period, I cannot tell; but antecedent to that period, a year or two, I had several conversations with him upon the subject.

Can you state, whether Mr. Pitt ever showed you the dietary, as now established, before it was adopted?—I cannot answer that; I believe, on recollection, the first time I saw it was in the printed books of rules sent me by the secretary.

You stated, you conceived the prisoners at large within the Penitentiary, to be under the inspection of the surgeon, and that your duties were confined to the infirmary?—I meant to say, that excepting my monthly inspections, I considered the prisoners in the prison under the care of the surgeon, under his particular management; and that the infirmary patients were more particularly under my care; but if the surgeon found it necessary to consult me as to the state of health of any prisoner in the prison, I should have felt it my duty to attend.

And upon going round the prison, even although the surgeon should not have called your attention to it, if you had observed any symptoms of disorder among any prisoners not in the infirmary, should you not have felt it your duty to report it to the committee, or would you have waited till they came into the infirmary?—I should have ordered them into the infirmary immediately.

Did you keep any journal or diary of your visits?—I did not; I was not required by my instructions to do so.

Did the surgeon?—Yes, he did, as to his own duties.

Had you any personal communication with the committee on the subject of the dietary?—I had, but how often I cannot say; I believe the last time was in January.

How often does the committee meet?—At various times; during the sitting of Parliament, weekly; at other times not so often.

When was the first dietary established?—On the 4th of July.

How soon did you perceive any change in the prisoners?—I cannot say I saw any visible change until the females became sickly, after Christmas.

Not till six months after?—Certainly not.

Did you see the food yourself?—Yes, I did.

The broths and the bread?—Yes.

And tasted it?—Yes.

What was your opinion of it?—My opinion was, that the bread was extremely good, and that the broth tasted very well, but whether the taste arose from the vegetable matter contained in it, I cannot say.

Was it good wholesome broth?—Yes, it was.

How soon did any prisoners make any complaint to you of the food?—The first day after the reduction of the food took place, when I went among them.

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Did they complain of the quantity or quality?—Of the quality; they wished to have meat.

Did they complain of the quality of the bread and the soup, or broth?—The brown bread had been established for some time; there was a considerable cabal among the prisoners at the time it was changed from white to brown.

Was that antecedent to July?—Yes.

The question went to the period subsequent to July; did they complain of the quality of the bread or broth, or the quantity?—Of the quality, and the deficiency of animal food.

In consequence of that you tasted it yourself?—Yes.

And you were of opinion it was good wholesome broth?—Yes, it tasted so.

You had no communication personally with the committee upon the subject?—I had in January; I might earlier.

Why did not you prefer a personal communication rather than by letter?—Because I wished to put my statements on record; if the committee had chosen to have sent for me, I was ready to have gone, and I have gone repeatedly and have sent my name in; some days I was seen and some not.

Did you keep any private memorandum of the cases?—Sometimes I did, for my own satisfaction; if I took upon myself to order a convict down stairs, or any thing of that kind, I took a note of it.

As you proposed, in March 1822, a scheme of diet materially greater, as it appears, than that which the visiting committee ultimately adopted, is this Committee to understand, that you ever abandoned the opinion you first formed, and that you at last fell into the scheme of diet proposed by the visiting committee?—I never fell into any scheme which the visiting committee recommended or adopted; I never swerved from the recommendation in my letter.

Did you, in point of fact, think at any time that the food finally approved by the visiting committee, was adequate to the due nourishment of prisoners?—It was an experiment; it was difficult to say why they chose to adopt it; it did not become me to make any objection to that which they had adopted, having already given in my proposal of a scheme.

Were you convinced that the food so allowed was adequate; yes or no?—I am now convinced, and was in February convinced, it was not adequate as to the animal food.

But you wished to give it a fair trial, nevertheless?—Yes, in consequence of it being the wish of the committee.

Was that your reason for abstaining from complaints of the inadequacy of the diet?—Entirely.

Out of a proper feeling for the committee, you abstained from making any complaints of the inadequacy of the diet?—It was so; it was of no use my complaining; I gave in my scheme of diet to the committee, they did not choose to act upon it; they adopted a scheme of their own, and I apprehend, it would not have been proper for me to have flown in their faces; I therefore did not consider it to be my duty to make any representation to the committee on the subject of the dietary, until I saw the health of the prisoners impaired by the scheme they had adopted.

When the prisoners complained, did you consider that the experiment had not had a fair trial?—They would complain, as anybody would, if complaining would give them more food, without its arising from any necessity as to nutriment; I mean to say, that the prisoners would complain though there was no absolute necessity, in order to procure more food.

From the foregoing observations the Committee gather this result, that you abstained in fact from complaining of the insufficiency of food until the progress of the scurvy, in February, left no doubt in your mind that this insufficiency was the main cause of disease?—Certainly, exactly so.

Having, in the letter of the 22d March 1822, introduced this recommendation of the dietary with these words; "Considering then all those circumstances, without advertg to others that might be urged, I am disposed to give it as my opinion, that the dietary for the Penitentiary should stand thus;" and having in a subsequent part of that same letter, said that you considered this question as very difficult of accurate solution, and the committee having adopted the different dietary, do you think that the circumstance of their having adopted a different dietary from that which you introduced with these doubtful words, was a reason why you should not have complained to them of the insufficiency of the dietary they had adopted, if you thought it insufficient?—In answer to the first part of the question, I gave an opinion that

that was an opinion of my own; I did not state positively what would be right, but I gave my opinion that such and such a dietary might be such as would preserve the health of the prisoners; and as I was not aware on what opinion or opinions the committee acted in fixing the dietary, I considered it would have been misplaced, any observations coming from me to the committee, until I saw a necessity for it.

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In the quantity of ox cheek put in the soup, should you consider the committee as having acted contrary to your opinion?—I gave no opinion upon the subject; I never knew the weight of animal matter an ox cheek contained, nor do I believe any of the committee knew; I am not aware that they did, until towards the end of February, finding the scurvy beginning to increase, and that will be found in my letter dated the 28th of February, that I made such inquiry; but the cook of pentagons 1 and 2, whom I had consulted with regard to the quantity of nutriment contained in each ox head, misled me, by giving me the weight of two in the place of one, which mistake was not discovered until my letter of that date had gone in to the committee; I stated there that eighteen pounds was the weight of the heaviest, and fourteen pounds the weight of the lightest, the medium therefore would be sixteen; I believe the committee are aware how I was led into that error by the cook.

At what time was that error corrected?—It has never been corrected; it appeared by that letter of mine that the prisoners were allowed more than it turned out they had.

In what manner was that inquiry conducted?—I went into the kitchen, and had a conversation with the cook of that pentagon; the resident surgeon and I asked him the quantity of animal matter in the largest ox head, and the quantity in the smallest; and his answer was as I have stated.

Is that weight of animal matter the weight of raw meat; or in what way was the inquiry conducted?—He weighed the head previous to going into the copper to boil; then he deducted the weight of the bones, and the difference gave the quantity of animal matter.

When did he weigh the bones?—After the broth had been made; and it is quite clear, that deducting the weight of the bones, the remainder will give the weight of animal matter.

Gruel is very often alluded to in these schemes; of what consistency is that gruel?—Thinner than porridge; about the thickness of what is called skiligalee on board ship.

Are they allowed any thing to eat with it?—Bread.

No milk, or beer, or any thing?—No.

Are they allowed sugar or salt?—Salt; no sugar.

You say, the surgeon was present at the time the cook gave you this information, as to the quantity of animal matter given into the soup, and that the mistake was made; did the surgeon make the mistake as well as yourself?—He did not make the calculation; I went in for my own information, and he accompanied me; it was very important I should know the quantity of nutriment they had, as the scurvy was making its appearance; and the information I obtained I have stated to the committee.

Do you believe the difference between the weight of the ox head, after it was in the water and before, gives the weight of animal matter mixed up with the soup?—Pretty nearly; it is calculated that raw meat loses a certain quantity; that is to say, that a certain quantity of meat put into water to boil, so much goes into the liquor, and so much remains behind in the boiled meat.

Is there no loss of animal matter by evaporation, or the process of boiling?—Very little by evaporation; it is merely the aqueous particles that escape.

Are there no brains in an ox head?—I should suppose so.

Are there not parts in an ox head that melt away in the soup?—As to the brains, if I was correctly informed in the information I received as to the weight; previously to going in and after coming out, it must have taken in the brains.

You have stated, that all the cases of scurvy that appeared in the first instance, appeared in the infirmary?—Yes, the two first.

Only the two first?—Yes; the other three occurred in the prison, I believe.

Were the other three admitted into the infirmary as cases of scurvy, or some other complaint?—I believe there were three seized with the disease, but I cannot charge my memory; I can positively speak to two.

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Your impression is, that two or three of those five came into the infirmary with the complaint of scurvy at the time of admission?—Two or three.

How many of the five cases were admitted into the infirmary, with decided scorbutic complaints?—Two or three, and that only three or four days previous to my announcing the disease.

You have stated you first discovered the scorbutic tendency in a person of the name of Jones?—Yes.

On an examination of his leg?—Yes.

Was the surgeon present at the time of this examination?—He was.

He asked you the nature of the complaint?—Not then, but several days afterwards.

Have you any reason to believe, that the surgeon so present was also aware of it?—No; I know that he was not aware of it; I do not think he ever saw it before.

You think it was his duty to detect scurvy in the Penitentiary, if any existed?—Yes, if there were any marks of it; if there were any spots upon the leg, he ought to have named it to me, and I could have detected it immediately.

What was the health of the prisoners previous to the change of dietary in July last?—Very good; not better in any situation in England.

You have been principal medical officer to the establishment for some years?—For nearly seven years.

Can you state to the Committee, what was the general health of the establishment during the winter periods of the whole of those seven years?—I cannot, at present, do that, nor have I any memorandum of it; I can state, that the deaths have been few in comparison with the number of convicts, and comparing it with other communities of persons in the kingdom; and I can state, that in the year 1821 there were eighteen deaths occurred during the whole year in about 650 convicts, and that in 1822 there were twenty-two deaths out of an average of 740, so that upon the whole the prison has enjoyed a very high degree of health up to last February.

The Committee then understand, that not only taking the account as to those years, but also as to the others, that the prisoners enjoyed good health during the winter of every year since you have been on that establishment?—Yes.

Was there, at any time, appearances of any disease similar to the scurvy breaking out amongst the prisoners?—Not to my knowledge.

The Committee allude to the whole of those years?—Not to my knowledge.

There was no disease you could trace to inferior and bad diet?—Not to my knowledge.

And in February it was, or January, that you first observed the scurvy to make its appearance?—About the 11th, 12th, or 13th of January.

You have stated, in one of your letters, that the disease had, from your situation on board ship, fallen much under your observation?—Yes.

Is it a disease that breaks out simultaneously amongst a number of persons that are assembled together in one ship, or in one place?—Sometimes, and sometimes not.

But when you have been aboard ship, and seen that disease to any extent, what have you attributed it to?—To deficiency of nutriment, to mental dejection, and to insufficiency of exercise, or active bodily exertion; because it is observed that this disease seldom attacks the thorough-bred seaman, its ravages being confined chiefly to those whose duties are less active, such as what are called landsmen, and waiters, who have had a sudden change of circumstances and of diet.

But the result of your observation, generally speaking, is that where it prevails to any extent on board ship, its leading cause is deficiency of proper nutriment?—Yes, its leading cause; but the other two moral causes might possibly make up a strong predisposition to it.

Should you then think, taking it for granted there was sufficient nutriment, that the moral causes, such as you have named, and the want of sufficient exercise, would alone create the disease?—Yes.

The moral causes have at all times existed the same in the Penitentiary?—They have.

And the want of exercise has been nearly the same from the beginning?—The moral causes have not always been the same, because the reduction of the diet tended to depress their spirits still more than when their situation was otherwise, as regards this point.

Those

Those moral causes had been aggravated by the physical cause of the deficiency of food?—Yes.

Dr. Hutchison.

Does this disease ever arise amongst a few individuals, situated under circumstances as you have described, and then those individuals not affecting the remainder?—Very frequently; it is very common; it was the case in Cold Bath Fields this last winter, there were five or six cases only, and the same number in Norwich Castle.

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Are you aware that there, the moment they saw the disease, they changed the diet?—I am not aware of that; I am aware that they used lemon juice.

Have you ever observed, that any sudden transition from one species of diet to another has made an alteration in the health of the person subjected to it?—It is a very common remark, particularly as it relates to the change of dietary, for instance, from salt provisions to fresh meat and vegetables, almost uniformly ship's companies, after being four or five months upon salt provisions, upon coming into port and receiving fresh provisions, diarrhœa goes through the whole crew.

Did you communicate to the committee, in any discussion you had with them upon the subject of the dietary, the important observation you have just communicated to this Committee?—No, I did not.

Were they not always very willing to receive from you observations upon subjects so important as that you have just stated?—It had no reference to the disease then existing; all my duties were superseded at the time the disease was discovered.

The question had reference to the change of food?—I did not now state that the change from a high diet to low would produce that effect, but from a salt meat diet to fresh meat and vegetables; that does not apply to the Penitentiary at all; there is an increase of food given to the convicts now, which may, I think, be part of the cause of keeping up the diarrhœa that now prevails there.

Were not the committee at all times ready, nay, eager, to receive information from you upon any subject connected with the management of their establishment?—With regard to answering the question, since the appointment of Drs. Roget and Latham, they have uniformly sent for those gentlemen, and communicated with them, and not with me on any occasion.

Prior to the appointment of Drs. Roget and Latham, when this new dietary was established, or during the six years antecedent to the new dietary, were not the committee always ready to listen to and receive any information you could give them upon the state of the prison?—Yes, and I was quite as ready to communicate any thing that occurred to me for the benefit of the institution.

You have stated, that you were led to make these remarks, in respect to the change of dietary, by the fact of the diarrhœa continuing in the Penitentiary; is the Committee to understand, that it is not impossible that the alteration from a low diet to a better and fuller diet, may in fact be one of the causes of the continuance of that complaint?—Yes, now, because I understand the diarrhœa prevails to a greater extent than it has done, and that the quantity of fresh animal food they have has been greatly increased.

In your mind is there any physical connection between the increased quantity of animal food and the progress of the complaint of diarrhœa?—I should not say that the animal food has brought on this disease to injure them materially; it is not like the scurvy, it is a very different complaint; I mean to say, there is a probability of this diarrhœa being such a diarrhœa as I have seen attack a ship's company, when placed upon fresh provisions after a long continuance upon a salted diet.

Then your observation is confined to the diarrhœa, one of the characteristic marks of scurvy, but any other diarrhœa which may attack a prisoner who did not suffer under the effects of scurvy?—Just so.

You say, there is a possibility of it; is it so, do you think?—Yes, there is an instance of it now; it may be, possibly, from the circumstance of the sudden transition from very low diet to very high diet; it is merely conjecture.

You think it probable?—Yes.

Do you think it likely, that scurvy should arise from wet and damp apartments, or having wet damp beds?—It is certainly one cause of scurvy; but the scorbutic convicts in the Penitentiary cannot be said to have been exposed to that.

You have said, the committee sent for Drs. Roget and Latham, and not for you; do you know when they have seen them, that it has been because their names have

Dr. Hutchison.

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been given in as being in attendance, and not from their sending for them?—I have seen a messenger from the committee, stating they were wanted; and that messenger did not come for me.

Do you not know, that those gentlemen's names had been given in as being in attendance?—They were there every day.

Were they there every day when the committee met?—Yes, they were.

Do you mean to say, they have been there every day as early as one o'clock?—No; I beg to correct that answer, in that respect.

Do you know, that when those gentlemen were sent for, their names had not been previously given in?—It is impossible for me to answer that question; I never heard of their sending their names in, and I have been constantly with them almost; they may have done so, on some occasions, but not to my knowledge.

You say, you knew the surgeon's ignorance of the sea scurvy; had you any reason then for not communicating to him the nature of the disorder?—I did not use the term ignorance; I said, his want of knowledge.

Had you any reason for not communicating to him the nature of the disorder?—I was very unwilling to find fault with what the committee thought right to adopt; I knew if I had given him an idea of it, the officers would have heard of it, and the rumour would have got abroad every where.

Did you communicate it to any other person?—No, I did not; it was only a few days.

Martis, 27^o die Maii, 1823.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

PAPERS.

(May 27.)

THE following Papers were delivered in, and read:—

“ Copy of a letter from A. Copland Hutchison, medical superintendent, to Mr. Pratt, surgeon to the Penitentiary.

“ Dear Sir,

Leicester-square, 7th December 1822.

“ FOR the more correct management of the details of the medical department of the Penitentiary, I will thank you to furnish me with a list every Monday morning, when I visit the Institution, of the patients names who are prescribed wine, porter, or any other necessary article not mentioned in the scheme of dietary, with the quantity daily consumed by each; also, that you will furnish me with a statement of the total expenditure of the aforesaid articles every quarter, namely, on the 1st January, 1st April, 1st July, 1st October, with your receipts and remains of the same.

“ I am, dear sir, your very obedient servant,

“*A. Copland Hutchison*, medical superintendent.”

“ Copy of a letter from A. Copland Hutchison, medical superintendent, to J. Couch, esq. governor of the Penitentiary.

“ Dear Sir,

Leicester-square, 18th December 1822.

“ ON visiting the prison, with the view of ascertaining the degree of heat afforded by the flues, I was sensibly struck with the coldness of division B. in pentagon six; the thermometer not rising higher than 46.

“ I think it proper to mention this to you officially, that measures may be adopted as speedily as possible to remedy the defect.

“ I am, dear sir, your obedient servant,

“*A. Copland Hutchison*.”

“ Copy of a letter from A. Copland Hutchison, medical superintendent, to Mrs. Wilkinson, the matron of the Penitentiary.

“ Madam,

20th December 1822.

“ AFTER the repeated notice taken by me of the injurious consequences likely to result to the health of the prisoners, from the practice of washing the floors of their apartments, or passages, late in the afternoon, and after an order of the committee against

against this practice in the pentagons, I confess that I was not a little displeased to find the passages, in the female infirmary, quite wet, at nearly seven o'clock of the evening of the 17th instant, when I visited two patients in that department who were dangerously ill. I have therefore to request that you will be pleased to give directions that this may not occur again, otherwise I shall be under the necessity of laying a complaint before the committee.

"I am, madam, your obedient servant,
"A. Copland Hutchison."

PAPERS.

(May 27.)

"Copy of a letter from A. Copland Hutchison, medical superintendent,
to J. Couch, esq. governor of the Penitentiary.

"Dear Sir, Spring Gardens, 22d January 1823.

"I was exceedingly grieved to day, to find that the temperature of the cells and passages of the different pentagons is by much too low to preserve that degree of health among the prisoners which is so much to be desired, particularly in pentagon six.

"I have therefore to request, that you will be pleased to take immediate steps to have the heat of the different pentagons increased as much as possible, during this inclement season, that the situation of the prisoners may be rendered more comfortable than at present; and until this measure can be effected by the proper persons, I should suggest to you, the propriety of desiring the windows of both cells and passages to be kept closely shut at all times, and as the passages generally appear to be warmer than the cells, perhaps the doors of the latter being kept open would more equalize the temperature of both.

"Be pleased to communicate the contents of this letter to the visitor; and to the matron, as far as relates to her department.

"I am, dear sir, your obedient servant,
(signed) "A Copland Hutchison."

Extract from the governor of the Penitentiary's journal.

"1821: December 19th.—I received the following from Dr. Hutchison, which I immediately communicated to Mr. Humphries, the clerk of the works.

"On visiting the prison, with the view of ascertaining the degree of heat afforded by the flues, I was sensibly struck with the coldness of division B. in pentagon N° 6, the thermometer not rising higher than 46.

"I think it proper to mention this to you officially, that measures may be adopted as speedily as possible to remedy the defect."

"20th.—Mr. Humphries is taking steps to remedy the coldness of ward B. pentagon, N° 6."

"1823: January 23.—Received a letter this afternoon from Dr. Hutchison, saying, that the temperature of the cells and passages of the different pentagons is by much too low to preserve that degree of health among the prisoners which is so much to be desired, more particularly in pentagon N° 6.

"Went into pentagon N° 6, with William Mellish, esq. visitor, after locking up, and tried the temperature both in the passages and cells, and considered them to be as warm as could be expected this severe weather.

"Ordered, that the taskmasters will let the cell and passage windows be kept closely shut as much as possible, and will order good fires to be kept in the furnaces during this severe weather."

"Extract from Minutes of the Superintending Committee of the General Penitentiary, held the 25th January 1823.

"The officers journals read.

"It appearing from the governor's, that the medical superintendent had addressed a letter to him, recommending a greater degree of heat to be communicated throughout the pentagons, during the present intense cold, and Mr. Tapster being in attendance, he was requested to examine into the means of doing so, along with the visitor, Mr. Mellish."

Alexander C. Hutchison, M. D. called in ; and further Examined.

Dr. Hutchison.

(May 27.)

IN your letter, dated the 22d March 1822, addressed to the committee of the Penitentiary, you recommend that the dietary for the Penitentiary should stand thus; the daily allowance of bread to be precisely what it now is; gruel the same, night and morning, warm; one quart of broth to the males, as now made, or with ox-cheeks; the same quantity to the females employed in the wash-house and laundry; the other females, one pint and a half, during six days in the week: what quantity of meat would have been in the quart of broth that the males would have had under that dietary?—Between three and four ounces of raw meat.

What quantity of meat would have been in the pint and half the females would have had under that dietary?—A fraction less.

How much should you suppose less?—I should suppose a quarter.

Eight ounces of meat, the same as heretofore, on Sundays, with one pound of boiled potatoes, omitting broth on this day altogether, for every description of prisoner; do you mean eight ounces of raw meat?—I should turn that into raw meat, and call it twelve ounces.

The Committee then understand, that you mean by eight ounces of meat, that they should have eight ounces of meat after dressing?—Yes, and without bone.

Would not that quantity be as much, or more than they had before?—No, it would not.

What then was the difference?—The difference was, that it would be but two-thirds of the old diet; it is precisely two-thirds.

Then it is one-third less by this plan than by the original dietary?—Yes.

In the old dietary, were not thirty-six ounces of meat given to each individual during the week?—Yes.

What then is the difference between you, as to the quantum, you giving thirty-six ounces also?—No, it will be found that there is a difference; the broth given to the prisoners on the Monday, according to my scheme, was the produce of twelve ounces from the Sunday's meat.

Then the whole difference is, the difference of four ounces of undressed meat?—About that.

Then the change in the dietary you recommended, thinking the dietary too great, was a reduction of four ounces per week?—Yes, and more, to each individual.

How do you reconcile giving a statement, that broth would be made of four ounces of undressed meat, with the expression, "broth as now made?"—The broth I wished them to have, according to my scheme, should be of the same strength as they had according to the original scheme; and there, perhaps, a little of the present difficulty may be discovered, by calculating what was the strength of the old broth; I have stated it to be the produce of between three and four ounces of raw meat.

The Committee wish to know how you make out, that the broth made with four ounces of undressed meat, will be equivalent to the broth resulting from six ounces a day of dressed meat?—I should say that the broth, according to the old scheme, contained fully three ounces of juice, because six ounces of clods and stickings boiled, may be supposed to be nine ounces raw; therefore you had but three ounces of animal food in a quart of broth allowed to each male, according to the old scheme.

If the meat were to be boiled for broth, and thrown away, would you not suppose the meat to be more boiled, than if boiled merely for food?—In that case, the meat would be boiled down entirely, as in the last scheme; there would be no waste at all; the very fibres would be in the broth.

Would four ounces of meat be necessary for the broth daily?—Yes, it would, nearly; I think the reduction will be found more than I mentioned.

Supposing them to have used ox-cheeks, what portion of ox-check was to be put in?—In the proportion of three ounces to each quart.

What do you mean by the words, "eight ounces of meat, as heretofore?"—That is, the clods and stickings, after being boiled, without bone.

Those words had no relation to the quantity, but the quality?—Both; the quantity is mentioned, after being boiled, without bone; that did not exclude the quality of the meat.

It does not mean, that the prisoners had eight ounces before?—By no means.

The Committee have now got the old dietary and your dietary; the next question is, under the dietary which was established in July last, what was the amount of meat which

which each individual had per week, beginning with the males, and then state of the females?—Very nearly nine ounces for the males, and a trifle less for the females.

Dr. Hutchison.

The whole of it given in broth, not in solid?—Precisely so.

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Did you ever taste the soup, to see whether you thought it was as good as it ought to be?—I believe I answered that question yesterday, that I had tasted it, and it tasted very well to me. I beg that answer not to apply as to a sufficiency of animal matter.

Do you think, if you had suggested to the committee, that it ought to be stronger, there would have been the least objection to making it so?—It is quite impossible for me to say what might have been the wishes of the committee; I had given in my scheme of diet, and the committee had not acted upon it.

Did you not give the dietary in as a doubtful dietary, and as one concerning which other persons were to be consulted, and which might be liable to improvement and alteration?—It was given in merely as an experiment, and my letter will show that.

The difference then between the old plan of dietary and the plan recommended by you and the new plan, was the difference between each individual receiving nine ounces of meat, in the course of the week, or thirty-six?—About eight-and-twenty, I believe.

You would deduct the Monday's meat?—Yes.

Under the old plan, it was thirty-six ounces each week; under your plan, it was thirty-two ounces for each individual; and under the new plan, little more than nine ounces. Is not that correct?—There is a miscalculation there; I have stated, that my broth should be of precisely the same strength as that which they had by the original dietary.

You have stated, distinctly, four ounces of crude meat for each individual, for five days in the week; then you propose twelve ounces of raw crude meat, which is reduced to eight; that is thirty-two ounces of solid meat to be given to each individual per week?—It is very true, but on the Monday there are four ounces; and they have only three ounces the other five days.

The Committee are talking of undressed meat?—So am I.

Can you say, that the committee willingly departed from your dietary on six days of the week?—I cannot say, whether they did so willingly, or not.

You have stated, that your reason for not complaining of the weakness of the soup was, that the committee had adopted another dietary; the Committee wish to know, after all that has passed, as to the difficulty of stating what the precise quantity of meat you found was, whether the committee knowingly departed from your dietary, except on the Sunday's dinner?—I only know, that I was perfectly unacquainted with the quantity of animal matter contained in the soup that the convicts were getting, according to the new diet, till I made my inquiry of the cook, in February last.

Were you acquainted with the quantity of animal matter you meant to be in your own dietary, if ox-cheek were used?—Yes.

What number of ox cheeks were to be used in the soup?—I should have weighed the meat from the ox cheeks, and put in the same proportion of meat from the ox cheeks to make the soup as I should have done of the clods or stickings, according to the old scheme.

The question is not, what you would have done, but what you have stated to the committee, as a direction for them to do?—My recommendation was, that the broth, whatever it was made of, according to my scheme, should be of the same strength as to animal matter.

How do you know that the committee did not conceive that the scheme they adopted was not of that strength?—I cannot answer the question, what the committee conceived.

When did you make the inquiry, as to the quantity of meat that was used?—In February last, after the scurvy made its appearance; I mentioned it in my letter of the 28th February, already in evidence.

How long before that had you ascertained it?—Two or three days.

When you wrote your letter on the 10th of January 1823, wherein you state the diseases that were then existing in the Penitentiary, when you had the case of scurvy which you have already named, brought to your attention, you added, "but if I were asked on my oath, whether I considered this circumstance as likely to have arisen from the change of dietary, my answer should be in the negative;" had you made yourself then acquainted with the dietary, as used in the establishment?—

Dr. Hutchison.

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The first case of scurvy that occurred, occurred subsequent to that letter; it was on the 12th of January I saw that case, and my letter is dated the 10th.

When you gave it as your opinion, on the 10th of January 1823, that if you were asked upon your oath, whether you considered the illness to be occasioned by the change of dietary, had you made yourself acquainted with the change that had taken place in the dietary?—The illness alluded to in that letter was confined to the females; the common colds and coughs of common life, and not occasioned by diet.

But still that does not answer the question; the question is, whether, when you gave it as your opinion, that you could not say that the change of dietary had any effect upon any illness, you had inquired what in fact the dietary did consist of?—Yes, I had; I knew that it consisted of broth made from ox heads.

Then how do you reconcile that with the preceding answer, that it was only in February you learned the quantity of animal food that was used in the soup?—The first answer I meant to apply to the total abolition of solid animal food, substituting broth entirely for the convicts, instead of giving them solid food.

Did you know in January, when you wrote that letter, that the quantity of animal matter, in each person's mess, was reduced from thirty odd ounces of meat to nine?—It was impossible for me to have ascertained precisely the reduction, because I had not then known the weight of animal matter in the broth.

Did you inquire, prior to writing that letter, of the cook, what was the quantity of meat used?—No, I did not.

Would you, after all that has passed, now revert to the dietary which you gave in?—I should be induced to give them more.

Would you increase the total amount, or only in particular cases?—The total amount.

Will you state what you consider to be a sufficient diet, for a person at liberty, of bread and other food, to keep him in health?—It is very difficult to answer that question precisely, because much will depend upon his previous habits; an Irishman will live, and be fat and hearty, upon potatoes; an Englishman, who has been accustomed to eat from his infancy certain quantities of animal food, could not live upon potatoes without incurring disease.

Suppose a person to have lived upon animal food, what do you then consider a sufficient quantity of animal food actually necessary to keep that person in health, supposing him not to be in prison?—Still I think that a very difficult question to answer; he will require less than a person confined in a prison.

What would you give to a soldier for instance, as a sufficient quantity of food for his support, absolutely necessary to keep him in health?—I should suppose about three ounces of animal food, and a couple of pounds of bread a day, with vegetables; I am merely offering this as a rough guess.

Suppose that same individual soldier to be committed to prison, would you say there was any necessity for an increase of food to that individual?—I cannot well answer that question.

You before stated, that you considered a difference was necessary to be made in the diet of the person confined in gaol, and the one at liberty; the Committee now put the question to you of an individual soldier at liberty; you had stated the diet necessary for his maintenance at liberty; the Committee now ask you, whether any difference is necessary to be made, supposing him to be committed to prison?—I am not prepared to answer that question.

Supposing an individual to have lived as an Irish man or woman does, upon a potatoe diet, or any other diet, having no animal food or having animal food very seldom, suppose that individual to be committed to prison, do you conceive it necessary for his or her health, that a change of diet should be made of the animal food then given?—No, I might not.

How then do you reconcile that with the answer you before gave, that it is necessary that an additional quantity of animal food should be given to the persons confined in prison, beyond that which they had been in the habit of having before they were committed?—I forget the question that led to that answer.

The Committee understand from you, that supposing a person sent from the country, a labourer who has been in the habit of having animal food once a week, or probably lived upon no animal food, but on bread and vegetables, you do not think it necessary for the health of that person, confined in the Penitentiary here, to receive in it animal food?—I should think he will be less likely to suffer from disease

disease than a man who had been living upon animal food ; I should say he would require it less than a person who had been accustomed to it.

In the cases that have occurred of disease in the Penitentiary, has it affected persons who had been sent from the country to the Penitentiary?—I believe it has.

There were a few cases of scurvy that took place before the inquiry was instituted ; were those persons sent from the country, or persons committed for offences in London?—I have not ascertained whether they were country thieves or town thieves.

Has it, in point of fact, affected the persons sent from the country as much as those who had committed offences in London?—I am not prepared to answer that.

Supposing that to have been the fact, would you have ascribed it to the alteration of the diet, or any other cause?—I should ascribe it to the operation of the diet still, and the want of proper air and exercise.

But supposing the diet to have been of a higher quality to the individual sent from the country, than that individual had been in the habit of living upon when at liberty, do you think that the cause of the disease, in that individual, was the low quality of the diet?—In that case, I should suppose not.

Then to what would you ascribe it?—To the want of exercise, the severe cold weather, the mental depression, confinement, and all the moral causes inseparable from their situation.

The dysenteric affection has been mentioned by Dr. Roget in his evidence, as being a symptom of scurvy, which, as it appears, has been the chief source of mortality among the convicts ; will you inform the Committee at what period those symptoms of the scurvy mentioned by that gentleman did actually appear among the convicts?—After my having announced the dease to the committee on the 8th February.

You are sure of that?—Quite sure of it.

After you had announced the disease to the visiting committee?—Yes.

Then it appears also, by the evidence of one of the physicians, that the number in their Report amounted to 448 cases ; can you give the Committee any information on this subject?—I presume the number they have stated to have referred to every individual who showed the smallest spot upon the leg ; they were not under medical treatment ; they were in the prison, not in the infirmary ; there were not in the infirmary, I believe, more than 100, or 110, or 120, under medical treatment, of any species of disease.

Then out of the 448 cases, 328 were in different parts of the prison?—Yes ; not in the infirmary.

And you saw spots and various blotches upon them, by which you perceived they had the sea scurvy?—Yes, I did.

It is stated also, in the physician's evidence, that the persons employed in the kitchens were almost entirely free from scurvy ; is that, in your opinion, solely owing to the increase of diet they had, or more exercise, or to both?—To both.

And warmth?—That is another favourable cause.

When did the first death occur from the scurvy, which had been attributed to the insufficiency of animal nutriment and want of exercise?—On or about the 13th or 14th of February 1823.

Can you recollect the day when the two physicians were first called in?—The 1st of March.

Was the disease then far advanced in the Penitentiary?—No, it was not, although there were a great number affected ; but the disease had not attained any considerable height as to violence.

Had the committee ever intimated an intention to call in further assistance before the Resolution of the 28th of February?—Never.

Was that the day before those physicians, Drs. Roget and Latham, attended?—It was the night before.

Were you informed who were the gentlemen selected ; and if you were so informed, at what time of the day or evening was it?—Not till the next day, when I went to pay my visit at the Penitentiary, when I found a note at the porter's lodge for me, from Mr. Courtenay, stating, that Drs. Roget and Latham would be there at two o'clock ; it was then two o'clock ; and they had then preceded me .

Did the physicians fix any time themselves to meet you, and communicate with you upon the subject?—I had not spoken to them, nor did I know who were appointed, till I found them there.

Dr. Hutchison.

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Dr. Hutchison.

(May 27)

Did you at all times up to the date of your removal, communicate freely with the surgeon, matron, governor, and all the officers connected with your professional duties in the establishment?—I did.

Without any reservation whatever?—Yes.

Determined to do your duty throughout?—Precisely so.

Do you happen to have heard that there existed the scurvy in Norwich gaol?—I do.

Do you know the treatment resorted to for its cure in that establishment?—I do.

Were oranges likewise used for the purpose of cure in that gaol?—The surgeon of the gaol has written me, and I saw his assistant; he called upon me this morning, and is now in the room; he informed me, he cured the disease by citric acid in conjunction with vegetables.

In the surgeon's Report on the death of Mary Brenton, there is a remark made by you, on the impropriety of removing prisoners too soon, when they have been admitted into the infirmary; this is followed by a remark from the surgeon; were you ever made acquainted with the fact, that this remark had been made by the surgeon to the visiting committee?—I never knew of the remark made upon my Report, till I saw this printed paper.

Were you ever directed to remark upon all the surgeon's reports of deaths?—I was.

Did you fulfil those directions in all cases?—I did.

You have said, that you were not informed of the appointment of those two gentlemen, the physicians, till the 1st of March?—They went to the institution on the 1st of March, and I was apprized the previous evening at nine or ten o'clock, that further assistance had been resolved upon.

Did not you state, that Mr. Courtenay's letter reached you on coming to the lodge?—A note telling me *who were* appointed.

Do you happen to know when they were appointed?—By the Resolution of the Committee of the 28th, which I got at ten o'clock at night; they were appointed, I presume, that day.

That Resolution states, that two persons are to be appointed, but does not state the fact that they are appointed; do you happen to know of the two gentlemen named on that day, one declined the appointment, and one of them therefore, was not named till the next day?—No, I do not.*

** Thinking this question to apply only to the two appointed, I answered as I did; but supposing now, on reading the question over, that it may have applied to a third person, I have been since informed by Dr. Maton that he had declined the appointment.*

Is it your opinion that scurvy may be cured by the administration of ripe oranges to such persons as may be afflicted, supposing the quantity of animal food and vegetables not to be increased?—Certainly not.

Do you believe that the administration of ripe oranges, supposing the animal and vegetable food to be increased, is a mode of cure likely to succeed?—It would be very tardy, indeed.

Is it your opinion, that lemon or lime juice would be more expeditious?—Certainly.

Why do you think so?—From the experience I have had of the efficacy of that remedy in the navy.

Have you ever been in situations where ripe oranges as well as lemons could be used, and you used the first, and found them not to succeed, and adopted the second, and found that they did?—I cannot say I had done so, because I have never resorted to a minor remedy, when I had the command of a better.

When you were in the situation described, did you use lemons instead of oranges?—Yes, I used lemons.

Is it that lemons contain a greater quantity of the citric acid?—Certainly.

Supposing that oranges were used in the spring of the year, when they were less ripe, would they contain a greater quantity of citric acid than when they were ripe?—I should think they would contain some; I doubt whether the ripe oranges contain any, or very little.

Have you ever seen much of this disease?—I have.

In what places?—In South America and North America, in Newfoundland, in the Baltic, in the West Indies, and on the coasts of England and Ireland.

Had you ever seen it on land, before it affected the convicts in the Penitentiary?—No, only in naval hospitals; though I have been surgeon for seven years to a large dispensary, I have never seen an instance of it.

You have never seen an instance of the disease you denominate sea scurvy, except on board of ship and in naval hospitals?—No; excepting in the Penitentiary.

It must be a disease brought in by seamen, from on board ships?—I have seen it

it break out in naval hospitals, in persons confined to their beds, with no appetite, and very much emaciated.

You have stated, you considered one of the causes of the disease in the Penitentiary, was the want of air and exercise?—I did.

Beginning with air, what objection have you to the present system, and what remedy would you propose?—With regard to the air, I make the remark I am now about to do, in consequence of the appearance of this disease in the Penitentiary; and as to its prevention in future, I should say,—that the more open the place is where the prisoners are allowed to walk, the better the air will be, and the better for the health of the prisoners; I should with that view not only allow them to be out longer in the yards, but I should recommend the taking down those partition walls which separate the yards of the prison from each other, as tending to obstruct the free circulation of air, which I deem so essential for the health of the convicts; as to the prison itself, I must say, I see no objection with regard to the airiness of it, or the circulation that is preserved in the interior; but I am speaking of the open air.

Have you ever observed in any of the courts of exercise, there is a greater degree of moss in some courts than in others?—Yes, I have, that I believe arises from the circumstance of one being made before the other.

Taking any given pentagon, whether it has been constructed some years or recently, have you ever observed that in any of the courts of exercise there is a greater degree of moss in one division than the other?—I cannot say I have, but I think a great deal will depend upon the bottom on which it grows.

Do you think, that supposing the statement which has been presumed in the question be true, that the opening of the communication between the courts, by letting in a freer circulation of air, would tend to diminish the growth of that vegetable matter?—It is impossible for me to answer that question decidedly, but I should suppose so.

What alterations do you consider to be necessary for the free circulation of the air in the yard?—Speaking of those pentagons, they cannot be altered; but I conceive there will be no difficulty in removing the walls and putting iron stanchions down, and the separation would thereby be still preserved.

The outward wall remaining the same, what dimensions do you think would be necessary to give adequate circulation of air, for the health of the prisoners taking exercise in the yard?—I should answer that by saying it should be made as extensive as possible.

What do you consider sufficient for the purpose?—It is very difficult to answer that question.

What is the height of the walls, are they solid walls; are there no iron railings?—No; excepting at the small end, and the walls are solid.

What is the height?—About eight or ten feet.

Much above a tall man's head?—Yes.

What is the area within those walls?—Four times the size of this room.

Then the people walk in a sort of large well; the air cannot blow through it; the air must blow over their heads; it must be their own air they are inhaling?—In some measure.

What number walk in those courts in the day?—About twenty-five at a time.

Are they continually going?—No; a certain time of the day.

What is the state of the atmosphere in this yard during the summer months?—That depends upon the aspect.

Take the north and south aspects?—The temperature would be regulated by the size of the building, and the sun being kept a good deal away from it, by the number of pentagons there are there.

Are you of opinion they are so confined, that the prisoners inhale the air that is contaminated by themselves?—In some measure so; I have only turned my attention to this since the appearance of the scurvy, and I think that may be one of the causes of the disease.

Have you at any time been in those yards and found the air at all offensive?—No, I cannot say I have; I take snuff, and I am not so susceptible of the change of air.

Have you ever heard any body complain of the state of the air?—No, I have not.

You say, twenty-five walk at a time; how many twenty-fives walk in the yard in a day?—It is the same twenty-five.

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Each yard might have more than twenty-five to walk in it?—I believe so.

Each pentagon has a yard to itself?—There are four or five yards; every side has a yard.

How many does each pentagon contain?—They are not all full; about 200, I suppose, in the female pentagons.

Therefore the yard would not receive more than fifty people during the day?—They are out but for a short period in the day.

Do they each have their turn?—They walk at the same time.

You think the whole complement of the pentagon is out at the same time, in the five yards that belong to each pentagon?—Pretty much so, I believe.

How long does that continue?—That differs very much in summer and winter.

Does it differ in rainy weather or fine weather?—In rainy weather they walk in the passages within the building.

Weavers may have the muscular exertion of walking?—Yes, for a certain time; there is no rule for walking exercise in the yard at all in the winter.

Do you mean they do not walk in the winter at all?—They work at the pump; but there is no rule for walking in the winter; the second class are allowed a portion of time for walking in the winter, because they do not go to the pump or the mill.

What do you consider the winter; is it from Michaelmas to Lady-day?—Yes, I should suppose so, from September to Lady-day I believe, or from October; the first class have no exercise, except going across the yard to the pump and the mill; there is no rule I can discover for them during this period.

If there had been a rule you must have found it?—I do not know that, it is accompanied with so much difficulty; I have read those rules over and over again, and I cannot well make out the quantity of exercise.

Is it not notified by a bell?—It is so.

When the bell rings they each leave their cell?—Yes.

When the bell rings again they return?—The bell rings and they go to dinner, after that they go and take a walk.

You cannot make out, after all your experience, from hearing those bells ringing, and their going to dinner, you cannot make out what the daily quantum of exercise which they each command in prison?—Yes, I can pretty nearly, though I do not reside there.

Then state what the exercise was they had in winter and summer?—From Lady-day to Michaelmas, the females were allowed one hour for dinner and exercise.

For both purposes?—Yes, this is from Lady-day to Michaelmas; dinner is distributed to the prisoners at one o'clock; and an hour is allowed for dinner, air and exercise.

Then the Committee are to understand, only one hour is given in the winter months for dinner, air and exercise?—I am speaking of the summer now; then afterwards it says, at seven o'clock an hour to be allowed for air and exercise in the courts; I presume that to be in addition, but I am doubtful.

Cannot you understand whether they had an additional hour or not?—I suppose it is an additional quantity of exercise.

What is the exercise in winter?—That is for the females.

What is the exercise for the males in the summer?—From Ladyday to Michaelmas, they are allowed one hour for dinner, air and exercise, for the second class.

They are not the pump and mill class?—No.

Have they anything beyond that in summer?—Between Ladyday and the fifth of September, the prisoners are allowed one hour for exercise in the yard, upon ringing the tenth bell.

Then the males and females have both the same quantity of time given them for dinner, air and exercise, of the second class throughout the summer?—I think it will appear so from the rules.

Do you know whether those rules were observed up to the time of your leaving the prison?—I believe they were; for one of the members of this Committee took a great deal of interest in it, and saw that they were observed.

Do you know whether any more air and exercise was allowed to the prisoners before you left the prison?—I had no official notice of it; I intimated to the committee, that it would be better for them if they had.

Do you happen to know, not from official information, they had more than the exercise stated there?—I recollect now, in consequence of my information, that ten minutes, or a quarter of an hour, was allowed to the first class, instead of five minutes.

Do you believe any alteration has been made in the quantity of air and exercise, since the fourth of October, the date of your Report?—I have no knowledge of the fact, either officially or otherwise.

Dr. Hutchison.

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The Committee understand you to have said, in consequence of your representation of the fourth of October, some alteration was made in the second class?—In the winter months, it does not appear they had any air or exercise; and when they complained to me they had but five minutes, I represented it to the committee, and possibly on that recommendation the committee might have then increased the time.

In point of fact, had the men more walking, air and exercise, after the fourth of October, than they had before?—I cannot say whether they had, or had not, except from the conversation I may have had on the subject; I recollect that one of the members of this Committee stated to me, that he had had some conversation with Doctors Roget and Latham, as to a remark of mine on the fourth of October, but what the purport of it was, I do not now recollect.

Was the conversation to this effect; that you had mistaken the fact, or that the prisoners had misrepresented it to you, for that there was never a time when they were not allowed more time?—I believe it was to that effect.

You have stated, the first class work at the mill; that the second class do not work at the mill, but had two hours divided; one hour for dinner and exercise, and one hour solely for exercise; in point of practice, how much of that one hour was taken up in the meal?—I cannot say; perhaps half an hour; perhaps more.

Are the Committee, then, to understand, that, in your opinion, not less than half that was taken up in the meal; so that that hour given them for the meal and exercise, was half an hour for the meal, and half an hour for the exercise?—About that.

How long, during the last winter, were the persons of the second class prevented by the weather, at any one period, going out into the yard?—I cannot say.

In your observations upon the state of the disease, which partly you attribute to the want of exercise, did it not occur to you to notice how long those persons were prevented from taking any exercise at all?—At the time those circumstances were passing, I did make inquiry; but they have slipped my memory.

How long should you think, in a month or any given period, elapsed when the prisoners were not able to go into the yard?—Every day, during the frost, they could go out, and did go out; but, in very wet weather, they merely walked in the passages.

How many days in the months of December, January, and February, were the second class of prisoners out in the yard; were they out twice a week for air and exercise?—I should say, almost every day they were out.

During the winter?—Yes.

In snow, as well as rain?—There was a footway made by the turnkeys clearing the snow away, and they did walk round, but not during rainy weather.

Nearly every day in the week, then, the second class of prisoners enjoyed two hours exercise?—Yes, I should suppose nearly that.

Do you think that one hour's exercise is sufficient?—No, I do not.

Then in what way would you propose to amend it?—By the convicts going out more frequently in the day.

What do you mean by more frequently?—Three times in the day; three-quarters of an hour each time.

Would you propose, in the winter, that the convicts should go out three-quarters of an hour at three different periods of the day?—Not in the winter; I should say, half an hour in the winter.

At what period would be the first?—Between breakfast and dinner, and the others between that and bed-time.

It is dark at four o'clock?—Then say, twice; divide between the time they get up and dinner-time, and once afterwards.

Do you think, that that walking round and round, as horses do in a mill, is sufficient exercise for a strong grown-up man, or a strong healthy woman?—No, I do not.

Have you any other mode of exercise you would think fit to recommend?—In addition to walking, (which by the way, I should say, should be a trot; not walking, as they do,) I should recommend the use of more mills and pumps, or what I think better, a tread-mill, which is capital exercise for persons in their situation.

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In a word, the Committee are to understand, that you think the exercise that has been used in the prison is generally too little; and that you recommend, that the prisoners should be more actively employed?—I do.

If in walking, the walking should be more of a trot than at present, and a greater length of time given them to than they have at present; or that some means should be carried into execution, either by a stepping-mill, or a mill of another description, to give additional exercise to the frame?—Yes; the stepping-mill would combine every sort of exercise essential for the health of the prisoners; such as the invention in Cold Bath Fields and at Brixton.

Has it ever occurred to you, during the last seven years you have been in this situation, that the prisoners had too little exercise?—It has.

Did you make any statement to the committee to that effect?—I did, by writing, and verbally, both.

How long ago?—I cannot particularly say, but during the last two or three years; but more particularly since this disease made its appearance.

Do you think that a person (a young man, for instance) that was sent to the Penitentiary at the age of eighteen, under a ten years sentence, and who probably would be discharged at a period short of that service, (say six, when he would be twenty-four years of age,) would be able to obtain his livelihood by hard labour, in the same way as he would have been had he been used in the Penitentiary to exercise, somewhat similar as he would have had if he had been free?—I should say, no; certainly not; and that is without considering the diet.

Then the Committee are to understand, that persons discharged out of the Penitentiary, at the end of their term of service, would not be in the same state of health as if they had been husbandmen, or manufacturers employed in trades?—Certainly, I think so.

Do you think that any young man in the situation, such as has been described, having been subject to confinement for that period of years in the Penitentiary, is as fit for any labour, be it manufacturing, or be it husbandman's labour, as he would have been had he not been so confined?—No, he would not.

Supposing that person to have been six years in the Penitentiary, and during that period had been employed at the tread-mill, would he, in that case, come out of the Penitentiary with as much physical power for labour as any other person who had not been there?—He would come out in a much better state than under the existing circumstances.

Would he be equal to hard labour?—He would.

Would he come out more fit for labour than the weaver of sail-cloth in a manufactory?—I should think he would, certainly.

Do you think a person employed in the cotton manufactory from a very early age, if he left the cotton manufactory, would be afterwards able to earn his living as a day labourer?—Not so well able as the work at the tread mill would enable him to be.

Do you consider that the description of the scurvy that appeared in the Penitentiary was infectious?—I do not.

Why then were you so anxious to conceal the existence of the disease in the prison, from the knowledge of the neighbourhood?—Because I knew it was not the wish of the committee, that any noise should be made concerning the situation of the convicts in the prison at any time, the people in Lower Westminster being very ready to find fault with that institution at all times.

Why did you not explain the nature of the disease to the surgeon?—I thought I had assigned my reason in yesterday's evidence; my answer was, that I knew very well, that, if I had named the disease to him, that it was very likely to have been so spread round the neighbourhood.

When the physician went round on the first of March, and found four hundred and forty-eight cases scattered through the prison, some in the infirmary, and some in their cells, infected with different diseases, do you think that many of those persons had had the marks of scurvy upon their legs any considerable length of time?—I had no reason to believe that the marks were upon the legs of the prisoners until about the period I noticed the first case.

Had you any reason for believing they were not there?—I had; because I think, if they had been, my attention would have been called to the circumstance; the prisoners are always most ready to complain of the slightest thing that may be the matter with them.

Do

Do you think, if a prisoner saw one of those spots upon his leg, he would have immediately mentioned the circumstance to you, or Mr. Pratt?—I should think the chances are, that he would.

It is from that you draw the conclusion, that there were no spots upon the legs of the prisoners, otherwise they would have communicated it to you?—Yes.

Do you think the spots upon the legs of many of the prisoners, at the time of that examination, were such as would have led any person unacquainted with scurvy, to believe that that disease existed?—At that time, very likely it might; but not with a person who had been unaccustomed to the disease, so much as with one who was well acquainted with it.

If those spots were not such as to excite apprehension of disease in an ordinary person, how was it likely that the prisoners should have pointed them out?—They might have pointed them out, not knowing what they were; those gentlemen saw the disease after I had announced its existence nearly a month, during which time it was gaining upon the prisoners.

Were not the spots, in some instances, so small as to be almost imperceptible to the human eye?—Yes; therefore, I say, it was almost at the immediate origin of the disease.

Was lemon juice used in the infirmary during any part of the time you continued medical superintendent?—It was.

Was it so used after Doctors Roget and Latham were called in?—It was, but not in the prison, and not in all cases in the infirmary.

Was the success of it, as far as it was used, such as to induce a continuance of it, in your opinion?—I did not see any instance in which any bad effects arose from its use.

Do you think that the Penitentiary is sufficiently warmed?—I think not.

Are all the pentagons warmed alike?—No, they are not.

Is any one pentagon, in your opinion, sufficiently warm?—During the severe weather, I did not think any of them were sufficiently warmed, for I took notice of the temperature of the different passages and cells during the severe frost; and I wrote two letters to the governor, which are now before the Committee.

Is your attention now directed to the upper cells, not warmed at all, or to the lower cells, where the second class work, and the first sleep?—Yes, to both.

The upper story is not warmed at all?—I am aware of that.

Do you consider the want of sufficient warmth to have at all contributed to the complaint?—I think it might in a small degree.

In the Penitentiary; what were the parts of the Penitentiary, except the upper gallery, least warm?—I found most complaints made of pentagon 6, division B.

Did the sickness prevail most in that division?—I cannot at this moment charge my memory, to give an answer to that question.

Are the stoves employed in the different pentagons, so constructed as to give by a greater application of fuel more heat; can they be warmed to a greater degree by the stoves at present existing?—I think the stoves in Nos. 1 and 2 give more heat than is given by the plan in the other pentagons.

Can the other stoves be heated to a greater heat than they have been accustomed to be?—They were heated to their maximum in the winter, when I complained, and they were not warm enough,

Do you know whether any parts of the stoves were out of order during the winter, and whether the brickwork is now mended?—I was not so informed.

Is it done by steam or hot air?—Both.

Is that heat necessary in consequence of the situation of the prison?—I cannot say that there can be much attributed to the situation of the prison, in regard to its locality.

Is it your opinion, that heat is necessary to be introduced into all prisons?—I should think so.

Do you think that it contributes to the health of the prisoners, that heated air should be introduced into the sleeping cells?—It may not be so necessary in regard to their sleeping cells, very few people have fires in their bed-rooms; it would not be so necessary as where they are to work or be in the day-time, their work being of a very sedentary nature, not being such as to produce an increase of animal heat.

Do you know whether there are not a great many weavers in the Penitentiary?—There are.

What is the date of the rules you have been speaking from?—One is dated in 1820, and the other 1822.

Dr. Hutchison.

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Has there been any material alteration in those rules in chief?—Not to my knowledge, I have not been furnished with any alteration.

Supposing the situation to be one sheltered, and at the same time dry and sufficiently airy for the health of the prisoners; in that case do you conceive it to have been absolutely necessary, that heat should be introduced by means of fire or steam?—Yes, I do; but not in their sleeping cells.

Supposing in their day rooms they had fire, and free access to the yard for exercise, but no fire in their sleeping cells, should you not consider that that would be a system, more calculated to promote health, than if warmth was introduced into their sleeping cells by means of steam or heated air?—I do.

How many hours are the prisoners confined to their beds in the winter?—They go to bed at dark in the winter, and get up at daylight; they were between 14 and 15 hours, 14 generally in bed; and then they are sitting as tailors with their legs across all day, and the shoemakers sit cramped a number of hours; so that on those grounds I thought prisoners of that description required more exercise than they enjoyed.

Do they not occasionally come out to school?—I suppose they do.

Do they not at times come to the doors of their cells, to have the scriptures read to them?—Yes, they do; but that gives a very small additional proportion of exercise.

Are the tailors obliged to work?—Yes, if they are in health.

If their health was injured, they might on your representation, or that of the surgeon, be taken to the infirmary?—Yes.

Then they are exempt from work?—Yes.

How would he get into the infirmary?—The individual tells the turnkey, and the turnkey informs the surgeon, and he goes immediately.

And then he is directed accordingly?—Yes.

And that he is never refused, if the surgeon thinks he is not shamming?—No, never.

Suppose one of those tailors, or shoemakers, or weavers, were stubborn and would not work, what is the punishment adopted on those occasions?—If they will not work, with the excuse that they are not well, they are taken to the infirmary; if they are well, the governor is applied to, and he puts them in solitary confinement, or on bread and water, till the visitor comes, or the committee meet, and then they do with them as they think proper.

Is there any black-hole confinement?—There is.

How long have you ever known a prisoner, from the state of his hardened mind, remain in such a place?—Two or three weeks; may be more in some instances.

A dark cell?—Yes.

What space have they there?—A pretty good size.

About nine feet square?—About nine by seven.

Have you known them three weeks at a time in this place?—Yes.

On what floor?—Boarded floor.

On the upper or lower story?—The lower.

Did it fall under your remark, that any prisoner who had been subjected to this confinement, was more subjected to this complaint than any others in the Penitentiary?—I should think, the diet being bread and water, and being without exercise, they would be more subject to that disease; but I am not aware that any person was confined for that period, during the last winter.

Were the persons in that situation daily visited by the surgeon?—Always; and frequently by myself.

If that was the case, and you visited him yourself, you would know who the most hardened description of people were, and therefore if they had been visited by this disease, you would have known the person under those circumstances?—I visited them in the dark cell; we had a lantern, but the face was not well seen.

Did the surgeon merely feel his pulse, or his skin, or ask him any question?—If they had been ill they would not have been there; they were only asked if they were in good health; if they were they remained there; if they complained they were instantly removed to the infirmary.

Did you ever know of an instance of any prisoner's mind being affected by his confinement in a dark cell?—No; not as to any insanity.

How long have you known any prisoner confined in a dark cell without being admitted to light?—They occasionally see light; the turnkeys take their provisions to them morning, mid-day, and evening.

How

How long have you ever known a person confined in a perfectly dark cell in the Penitentiary?—Three weeks.

Was it a man or woman?—Both.

Were their minds at all affected by the length of the time they were confined?—Sometimes, a little; they did not feel very well for a few days after they came out; but it was the rule of the institution for those patients who were suffering solitary confinement, to be taken to the infirmary after they came out, till their health was established, particularly the females.

Have you ever known any prisoner kept in those dark cells till his health was so impaired that it was necessary to take him into the infirmary?—It was done as a general rule; they may have complained of head-ache, from crying, or coming suddenly into the light, after being confined in darkness, those were the chief things.

The Committee understand you to say, it was as a matter of precaution, that prisoners were removed into the infirmary, after they came out of the dark cells?—Yes, chiefly.

Do you mean that that was done generally?—Not if they had been confined only a short time, but if they had been confined a week or any longer time, they were taken into the infirmary.

Did you ever represent to the Committee, or any other person, the impropriety of keeping them a long time in dark cells?—I did not; as their health did not appear much impaired.

Had that description of punishment a salutary effect upon them?—That is a difficult thing for me to answer; sometimes they have been sent back there three or four times.

Was it a difficult thing to get a prisoner there, supposing he or she was determined to resist?—No; there have been only two or three instances of prisoners making any violent exertion to prevent being removed there.

Have you generally been present when prisoners have been removed to dark cells?—I have been frequently there, and I have been informed by the governor of it.

What was the diet of the prisoner confined?—That depended upon the nature of his crime, and it rested with the governor or the committee to fix it, when they passed the sentence of confinement upon him.

In the instance of a person confined three weeks, do you recollect what the diet was?—Low diet.

What is that?—Bread and water.

What is the bedding?—It is very comfortable, it is raised from the boarded floor, there is a board and mattress.

The usual bedding?—Yes.

If a prisoner was committed to this solitary confinement for refusing to go to work, would he not be removed back immediately upon expressing a willingness to undertake the work?—He would.

You say it is on the lower floor?—There are two kinds of dark cells, one in the upper story for females, and for males they are below.

That for the males is warmed?—It is not.

The upper one is not warmed at all?—It is warm enough, except in the middle of winter.

Are the dark cells warmed at all?—I believe not, but the cold air is excluded so as to prevent any inconvenience.

Sir Gilbert Blane, Bart. M. D. called in; and further Examined.

SINCE the Committee had the pleasure of seeing you the other day, have you visited the Penitentiary?—I have.

What was the state in which you found it as to health?—I found the sea scurvy prevailing to a great degree.

When did you visit it?—On Saturday.

Was it the sea scurvy in an aggravated form?—No, in a slight form.

But pervading a great number of persons?—A very large proportion of them, a good third part of them, with no ambiguity about it, perfectly marked.

Did you examine all the different pentagons?—I really do not know, the place is so intricate, I cannot say, I inspected about thirty males and females.

Were they in the hospitals or in the cells?—In the cells.

Dr. Hutchison.

(May 27.)

*Sir G. Blane,
Bart.*

Sir G. Blane,
Bart.

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Were they in the cells now devoted to hospital purposes, or in the cells inhabited by ordinary persons?—They were those in the general cells.

Owing to the excess of sickness, the hospitals not being large enough to hold the sick, they are obliged to use a portion of the cells in the nature of an hospital; the question was, whether the thirty persons were among the healthy prisoners, or among the sick?—Among the healthy class; I did not understand that any one of them was under medical treatment.

Of those thirty persons, whom you did not understand were under medical treatment, what was the state of their health?—Their general health was good; their only complaint was a distant characteristic of sea scurvy, namely, a peculiarly rough appearance of the skin, with small brown spots like flea-bites, and some degree of swelling and a hardness of the muscles; a hard feeling, and some degree of inflammation about the ancles, and about one half of them had sore gums.

From your observation and knowledge of the complaint, can those symptoms exist without the person labouring under them showing any other appearance of bad health?—There is no degree of suffering that deserves the name of pain; there is very great anguish, rather than pain, from depression of spirits, and sometimes shortness of breath.

More known by medical persons under the term “malaise” than pain?—Yes, and a degree of lassitude.

Did you direct your attention to what you would consider to be the cause of that complaint you found so prevalent?—I did.

Be so good as to state to the Committee your opinion?—I have not the least hesitation in saying it was from deficiency of nourishment; there were other causes of a secondary nature, but they are not to be compared to the fundamental cause.

What were those secondary causes?—Mental depression, such as from long captivity and want of air and exercise; those were the two secondary causes.

Did you endeavour to learn what was the nature of the exercise?—Yes, I did, in the course of conversation; it was partly exercise by machinery and walking in the air.

Did they show you the mill at which one class of the prisoners are accustomed to work?—No, I did not see the mill.

The general conclusion you have drawn, the Committee understand is, that the want of sufficient air and exercise, and mental depression, were two of the secondary causes of the disease?—Yes.

But that the main cause was deficiency of nourishment?—Yes; and I was not qualified to judge of that, except from the inspection of the table of diet.

If that table of diet had been shown to you, prior to being adopted, should you have anticipated any of the consequences that have been the result?—I should, and should have loudly condemned it.

You are taking into your consideration the length of time to which the persons are sentenced to whom that diet is given?—The length of time is a material thing in the consideration.

If that diet had been given for a shorter period, say three months, to any person recently committed to the Penitentiary, should you have thought that that diet would have been injurious to that person's health in that period?—Not in that short period, certainly not.

How soon, taking any constitution as a given one, would you suppose that that deficiency of diet would show itself in the health of that person?—It is a question entirely relative to the constitution.

Take an average constitution?—Perhaps from one to two years, before any effect can arise from it; but there is as much variety in constitutions as in countenances; in cases of ships of war, a whole fleet may become so in a month, or it may be *seriatim*, according to the nature of the constitution; in general it is extremely gradual, according to the constitution.

Are you aware how long this dietary was in operation before the disease broke out?—I learnt it had been in operation from July.

The disease first broke out in January last; do you think that the period of time that elapsed between July and January sufficient, with the other pre-disposing causes you have named, to have brought the disease upon the prisoners in the Penitentiary?—I think, considering the previous habits of the patients, and connecting those habits with the length of confinement, it was; the diet, I think, was too low; and I will say now, that the medical superintendent was quite wrong in saying that the former diet was too high; I have been conversant for forty years with prisoners
of

of war and others, and I know of no diet so low as what they call their over diet ; there is the diet given to prisoners of war, and to convicts on their voyage to Botany Bay, upon which I was consulted by the Secretary of State ; but so low a diet I never saw ; I cannot but think that the medical superintendent was quite wrong in saying there was an excess of diet in the month of March.

*Sir G. Blane,
Bart.*

(May 27.)

Are you aware, that in a great variety of prisons in the kingdom, a lower diet is in use than the first diet which was in practice in the Penitentiary?—No, I am not ; I have, from curiosity, gone over Cold Bath Fields Prison, and I think there the diet was much better than in the Penitentiary.

Should you say generally, that supposing a person was to be subjected to a long term of imprisonment, varying from two years to ten, that the diet, such as you have described, namely, the first dietary, would not be sufficient to keep them in health?—I should be afraid, even under that diet, there would be very great risk of it breaking out.

Under the first diet, you are of opinion, that if a prisoner was confined for a long course of years, there would be injury to his health?—Yes.

Under the last diet, you would have no doubt that injury would be received?—Certainly, in the same period.

Then the Committee again understand from you, that had that dietary been shown to you, you would have considered it as insufficient, and likely to produced a variety of diseases in any establishment that adopted it?—Yes, I should.

Do you mean that the diet was specifically one calculated to produce scurvy or various diseases, including scurvy in the number?—I go intirely upon the quantity of animal matter ; I think there might have been better in quality also.

In your observations upon the sea scurvy, do you attribute its prevalance in the navy, where you have seen it in existence, to the deficiency of nourishment generally?—Yes, some say the salt diet ; but I think it is the deficiency of the diet.

Have you ever seen the scurvy on shore?—Yes.

Of the same nature?—Yes, exactly ; the first time I ever saw the-scurvy, was in the garrison at Gibraltar.

Were you able to trace the cause of that disease to bad subsistence?—Exactly so ; deficiency of subsistence, owing to the long protracted siege.

Whenever you have on shore seen that disease you denominated sea scurvy, you have been able to trace it to deficiency of nourishment?—I have, except in a very few cases that occurred in private families ; I have practised forty years in London, and never saw more than six cases of sea scurvy ; one was from bad food at sea, and the others from the predisposition of the individual constitution.

Having seen the disease, such as you have described in the Penitentiary, was your attention drawn to the treatment of it?—Certainly ; I inquired into that.

Without, of course, asking any opinion from you, as to the practice you saw there, will you be so good as to state to the Committee, if your experience generally in this disease, has enabled you to point out any particular remedy you would consider almost in the nature of a specific?—I will answer to that in as few words as I can ; formerly, the navy of this country was brought to the brink of ruin, by sea scurvy, and a specific remedy was first found out in the end of Queen Elizabeth's reign ; but it never got into notoriety, nor drew as much attention as to be a great resource, I believe, till the year 1795 or 1797. In the course of that century, the college of physicians were applied to, to recommend a remedy for the sea scurvy, in the year 1730 and 1740 ; and again between 1750 and 1760 ; and in neither case did they recommend lemon juice for the sea scurvy, so obscure was the knowledge of it. In the year 1753, a very eminent physician, Doctor Addington, the father of a very eminent statesman, wrote a small tract upon the sea scurvy, in which it appears he had not the least knowledge of this specific for it ; so slow is the progress of practical knowledge upon any subject ; and in order to give the Committee in a few words, a knowledge of the comparative state of the scurvy in ships at sea, I will mention two instances in history ; Lord Anson sailed from England with 400 men ; when he arrived at Juan Fernandes, a good number of his men died from scurvy, and all the rest were inefficient, except eight men, and had they remained out much longer they must have been driven to sea, and on arriving at the last place from which he sailed, he was 143 days at sea ; in the year 1794, I was consulted by the late Lord Gardner, who was going to India, and I ordered a large quantity of lemon juice to serve his whole fleet ; Lord Cornwallis came home ; peace took place ; and in consequence of that, Captain Rainier went out with one ship of the line ;—then the question was, what was to be done with the lemon juice ; they gave it out to the men, who used it to make punch the whole voyage ; the consequence of that

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was, that in the voyage to India, which lasted 162 days, nineteen days longer than Lord Anson, when they arrived in Madras Roads, there was not a man ill of the scurvy; there were only 15 on the sick list, and only one ill enough to keep his hammock.

From your observation of the character of the disease, was it such as induced you to think it was an old disease on the decline, or whether it was in its full force, or whether any new cases had exhibited themselves?—It was evidently a disease on the decline.

No new cases?—No.

You examined thirty only?—Yes.

Then how can you state that one-third of the prisoners were affected?—I took them as a specimen of the whole.

Did you take them indiscriminately, or were they brought to you as persons affected?—When I went round I desired them to point out to me those that had been longest in confinement, or most affected.

And out of those you took indiscriminately about thirty?—Yes, and about two-thirds of these were found affected.

Mercurii, 28^o die Maii, 1823.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

Thomas Grimston Estcourt, Esq. a Member of the House; Examined.

T. G. Estcourt,
Esq.

(May 28.)

HAVE you any account of the dietary now in use in the prison at Devizes?—I have.

Be so good as to give it in.

[*The same was delivered in, and read, as follows:*]

“DEVIZES NEW PRISON DIETARY.

Each Prisoner, per diem:

- 1 $\frac{3}{4}$ of a pound of the best wheaten bread.
- 1 pint of oatmeal gruel, with salt
- 1 pound of potatoes.

“On Wednesdays and Fridays, in lieu of potatoes, 1 pint of vegetable soup.”

Do you happen to know how long this dietary has been in use?—I believe since the summer of 1821.

Have you any idea of the number of persons committed to the house of correction at Devizes during that period?—I have not.

Do you know any thing of the state of health and sickness during that period?—I have not visited the prison, as a visiting magistrate, during that period frequently; but I have had frequent conversations with the visiting magistrates, and with the governor, from which I learn the state of health has been extremely good; and I have received letters within these few days from the governor, in which he says, that the state of health at the present moment is very good, and that there has been no case of scurvy; I put that question to him.

Are persons confined there for long periods?—From the shortest period up to two years.

Are the cases of two years numerous?—Considerable; there are many cases of that kind.

Can you give the Committee any notion of the rate they bear to those of six months?—No, I cannot.

Have you any paper that may be considered as illustrative of the condition of the prisoners, when they entered the prison, and their state when they left it?—I have a copy of a page or pages from the Weight-book of the prison, showing what the weight of the prisoners contained in that document was when they were received into the prison, and what it was when they left the prison; and I understand that page was taken promiscuously, without any particular reference to any particular prisoner.

Be

Be so good as to state the result?—From the observation I have given to this paper, it appears to me almost all the prisoners have increased in weight during their imprisonment.

*T. G. Estcourt,
Esq.*

Does it state the length and term of each prisoner's imprisonment?—Yes it does.

(May 28.)

Be so good as to hand it in.

[*The witness delivered in the same, which was read, as follows:*]

NEW PRISON, DEVIZES:—Extract from the Weight-book.

Prisoners Names.	Term of Imprisonment.	Weight in.	Weight out.
Philip Cooksey - - -	6 calendar months - -	159	166
Isaac Perkins - - -	4 - - d° - - -	145	152
James England - - -	3 - - d° - - -	160	160
Alexander Brooks - - -	3 - - d° - - -	115	115
James Davies - - -	5 - - d° - - -	142	153
John Turner - - -	3 - - d° - - -	133	137
William Moore - - -	6 weeks - - -	154	155
Henry Flower - - -	1 calendar month - -	77	77
George Bevan - - -	14 days - - -	116	116
John Jones - - -	d° - - -	136	138
William Jeffries - - -	1 month - - -	131	133
Henry Wort - - -	d° - - -	121	122
James Barrett - - -	3 calendar months - -	156	160
John Stager - - -	6 weeks - - -	87	88
Henry Miller - - -	6 calendar months - -	129	126
John Mintey - - -	d° - - -	130	135
James Smith - - -	d° - - -	127	132
Thomas Hought - - -	3 - - d° - - -	154	165
George Lawrence - - -	2 - - d° - - -	121	125
John Titford - - -	3 - - d° - - -	110	115
John Carpenter - - -	d° - - -	149	149
John Colton - - -	d° - - -	124	134
John Andrews - - -	6 weeks - - -	87	87
Edward New - - -	3 months - - -	155	159
George Hunt - - -	2 - d° - - -	130	130
James Pierce - - -	d° - - -	142	142
John Golding - - -	1 - d° - - -	141	145
Thomas Page - - -	6 weeks - - -	75	79
James Pike - - -	d° - - -	93	95
William Frampton - - -	1 month - - -	71	76
Thomas Buy - - -	d° - - -	62	68
James Morris - - -	14 days - - -	117	118
James Avens - - -	3 calendar months - -	105	111
Francis Butcher - - -	d° - - -	148	133
William Roper - - -	d° - - -	158	162
Caroline Lug - - -	2 months - - -	100	100
John Legg - - -	3 - d° - - -	149	156
Jeffrey Dowse - - -	d° - - -	148	153

Edm^d Cocks, Governor.

Sir Gilbert Blane, Baronet, M. D. again called in; and further Examined.

IN your examination of yesterday, you stated, you had seen thirty persons in the Penitentiary, whom you had examined; you stated, that two-thirds of those thirty persons were suffering under the disease that had been so long prevalent in the establishment?—Yes.

*Sir G. Blane,
Bart.*

(May 28.)

Do you know whether those thirty persons were under medical treatment?—No medical treatment.

Sir G. Blanc,
Bart.

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Then the Committee understand from you, that those two-thirds of thirty persons ought, in fact, to be added to the list already given in of persons affected with disease?—I do think so.

And of course, that the disease with which they were slightly affected, had escaped the observation of the medical practitioners?—They all said, they had been at the worst about six weeks ago; they were in a gradual state of recovery.

Then they may be considered as being convalescent?—Certainly.

Not new cases of disease that had been overlooked, but convalescent?—Yes.

You stated yesterday, that, according to the experience of your long practice, the citric acid may be considered almost a specific?—Not almost, but a certain one; the surest remedy of any kind in any disease whatever. I speak from the experience of three-and-forty years, and in consequence of being a member of the Navy Medical Board; I have examined hundreds of medical journals, and only found two cases where the disease had resisted lemon juice.

Do you happen to know, whether the lemon juice has been much used in the Penitentiary?—I did not go closely into the practice; I heard it had been used to a small extent, but that oranges were thought to be best.

What is your opinion as to the use of oranges; do you think them as good a specific as the one you have just mentioned?—Certainly not. I would just state what I conceive distinguishes lime juice from all others; it consists in this, that it will cure the disease, while the person labouring under it continues in the same situation in which he contracted the disease; and we know very well that oranges have been tried, and they have not answered, therefore they are not a specific.

Then you consider oranges more in the light of vegetables, than as any medical specific for the disease?—Yes, the disease will give way more expeditiously by the use of that and other fruits; but the cure exclusively belongs to the lemon juice.

Have you any chemical analysis; can you give the quantity of citric acid to be drawn from lemons or oranges?—I never heard there was any in ripe oranges; but I go from experience, which is much better than any analysis.

When those oranges were first given, they were not ripe, it was in the month of March; does a sour orange contain some citric acid?—Yes, they may, certainly; there is nothing better ascertained, than that lemon juice is a real specific, and oranges, not. Lemon juice will cure it under the continuance of the sea diet, or under the same circumstances which created the disease.

Does your opinion go this length, that, supposing the dietary even had not been changed, that the scurvy would have been cured by the use of citric acid?—Most assuredly; I have not the smallest doubt of it.

Whatever other disease might have accrued, the specific disease of the scurvy would have been got rid of?—Yes, I have not the shadow of a doubt of it; I know too well the uncertainty of medicine, but I have not the least doubt of the efficacy of citric acid in this case.

The Committee have heard that a good deal of benefit has been derived from the oxygen contained in oranges and lemons, is it the oxygen or the citric acid you look to?—The citric acid as it exists in nature, I wish to show the Committee that I do not speak lightly of the effect of lemon juice, for I think this country has been saved by it; in proof of that, I will hand in some tables.

[The witness handed in the following papers:]

“ DIET of CONVICTS on their passage to Botany Bay, in the Glatton, from 23d Sept. 1802, to the 12th March 1803, at the weekly allowance of Messes of six men each.

Bread.	Flour.	Beef.	Pork.	Butter.	Peas.	Rice.	Suet.	Raisins.
20 lbs.	12 lbs.	16 lbs.	6 lbs.	1 ½ lb.	12 pints	2 lbs.	1 ½ lbs.	3 lbs.

“ There were 269 males, 133 females, besides 31 women and children.

“ The allowance for the women the same as for men, with the exception of 3lb. of muscovado sugar, and a pound of black tea per week, for each mess of six women.

“ Neither fever, flux, nor scurvy, appeared on the passage; only five males and two females died in the passage, all of chronic complaints.”

“ The

“ The following is the Weekly Allowance for Prisoners of war, as established in the year 1797.

Sir G. Blanc,
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Bread.	Beef.	Pease.	Salt.
7 lbs.	3 $\frac{1}{2}$ lbs.	1 $\frac{3}{4}$ pints, or greens in lieu.	2 $\frac{3}{4}$ oz.

“ This was equally divided among the seven days of the week ; each prisoner to be allowed two ounces of soap per week.”

“ The Weekly Ration of Seamen and Marines, as now established.

BISCUIT.	BEEF.	PORK.	BUTTER.	CHEESE.	PEASE.	OATMEAL.	BEER.
7 lbs. avoirdupois.	4 lbs. avoirdupois : fresh or salt, equivalents in foreign station in flour or raisins.	2 lbs.	6 ounces, or equivalent in oil, on foreign station.	12 ounces, or substitutes in rice, sugar, or cocoa.	2 pints, or equivalent in rice on foreign station.	3 pints, or equivalent in rice and molasses.	7 gallons, or 1 pint of wine, or half a pint of spirits.

“ Vinegar not exceeding half a pint in a week.”

“ Scheme of the Sickness, Mortality and Desertion in the British Navy, calculated on the scale of 100,000 men.

Years.	Seut Sick to Hospitals.	Deaths.	Desertions.
- - - 1779 - - -	40,815	2,654	1,424
- - - 1782 - - -	31,617	2,222	993
- - - 1794 - - -	25,027	1,164	662
- - - 1804 - - -	11,978	1,606	214
- - - 1813 - - -	9,336	698	10

“ It was stated, in a communication from the transport board to the Admiralty in 1805, that one fourth of the whole seamen and marines of the navy were sent to hospitals annually before the introduction of lemon juice in 1796 ; whereas, not more than one tenth part had been sent there after the full operation of the general supply of that article.

“ Had the mortality during the revolutionary war, from 1793 to the year 1813, been as great as it was in the beginning of the American war, the manning of the navy would not have been upheld.

“ And with regard to expense it has been calculated that the cost of recruiting, including bounty, &c. is at an average equal to 15*l.* per man, and the average expense of every man sent to an hospital, is calculated at 5*l.*

“ But this is the smallest part of the public benefit arising from the improvement of the health of seamen, for before the introduction of lemon juice, and the methods of promoting cleanliness, and ventilation, a fleet could not keep the sea for more than ten weeks, so that much time was lost by the necessity of remaining in harbour for the restoration of health, or of replacing the sick with sound men, and a great addition of ships of war were necessary, to replace those which were disabled by sickness, whereas, by the late improvement, ships can keep the sea for an indefinite length of time ; it is calculated, that in the present state of the navy, there is more efficient service in two ships than in three previous to the year 1796.

“ Towards the end of the American war, the total annual loss of the navy was computed at one in ten ; in the three last years of the revolutionary war, it is computed at one in forty-two.”

*Sir G. Blane,
Bart.*

(May 28.)

What is the paper you now hold in your hand?—It is the dietary for the prisoners out of the infirmary at the Penitentiary.

The diet now established at the Penitentiary?—Yes.

Have you any remark to make upon that?—I am surprised to see that they have selected potatoes; we know that it is a farinaceous food of a vegetable nature, but we know that farinaceous matter is not to be compared to roots, such as turnips, greens, and carrots; I should take it that turnips and carrots were much preferable to potatoes, because the potatoe is a farinaceous matter; I think you might spare an ounce of meat if there were plenty of vegetables, turnips, greens and carrots; I would mention to the Committee, that I have already compared two ships, the *St. Julien*, under Lord Anson, and another under Admiral Rainier; if they will allow me I will now state the difference in two fleets; in 1780 the Channel fleet, under the command of Admiral Geary, after cruising for ten weeks, was obliged to return to port, on account of the prevalence of scurvy; 2,400 were landed at Portsmouth, besides many more cured on board; in the year 1800, the Channel fleet, under Lord St. Vincent, kept the sea off Brest from the 27th of May to the 26th of September, five months, wanting one day, without any fresh diet, and without any sickness ensuing; it must be evident to the Committee, that in the case of 1780, the country was left in a defenceless state, for there was no adequate force to replace the fleet of Admiral Geary, whereas Lord St. Vincent covered the country from hostile invasion for the space of five months together.

When diarrhœa accompanies the scurvy, is the citric acid administered also?—It is not only inoffensive, but becomes serviceable, as appears by those medical journals I have examined; one would suppose that any acid would be noxious, but it is not so; it is not only innocent, but beneficial.

When you mentioned the farinaceous food, as not being so good as greens and carrots, and things of that sort, do you happen to know whether the lower class of Irish, or the lower classes in Lancashire, are peculiarly subject to scorbutic diseases?—I am not aware of that.

This question was put to you on your last examination: “How long have you been in a situation to be particularly conversant with the sea scurvy?” The answer is, “I was four years physician to the fleet in the West Indies, from thirty to forty sail of the line;” you have not mentioned the period at which that was?—I should state, that it was from twenty to forty sail of the line.

How many years is it since you were appointed physician in the navy?—I was physician to the fleet in 1780, 1781, 1782, and 1783.

From your great knowledge of this disorder, do not you think, if your advice had been asked at the first appearance of this disorder in the Penitentiary, you could have greatly mitigated the disease?—I think, by analogy, not only mitigated it, but removed it by the specific I have mentioned, under any circumstances whatever; if the citric acid had been administered, in three weeks it would have been removed.

In prescribing the lemons, do you allow the patient to eat as many as he thinks fit?—It is generally given in the form of juice; economy would prescribe some limit; the quantity which served Admiral Rainier’s ship for four months, was two-thirds of an ounce, that is not quite two table spoons full, and two ounces of brown sugar, put into their grog daily.

What is the greatest quantity you have ever known given?—A surgeon in the navy tried how much a man could take, and he administered a pint a day, and found the stomach was not at all affected by it; that was Mr. Dunn, the surgeon of the *Stag* frigate, commanded by Sir Joseph Yorke.

In a state of health could a person take a pint of lemon juice without it affecting his stomach?—I think not; it would extremely disorder mine.

Do you consider this disorder as at all infectious?—I think not, but it is impossible to set the precise limits; an old doctor at Portsmouth said, it became infectious in a whole district there.

What was your opinion of the state of the infirmaries in the Penitentiary, the day you visited them?—I never saw more cleanliness or better ventilation; I think it is perfect.

Mr. Anthony White, called in; and Examined.

*Mr.
A. White.*

YOU are a surgeon, living in Westminster?—I am.

Are you consulting surgeon at the Penitentiary?—Yes, I am.

You have been so from the beginning?—Yes, from the commencement.

You

You give your services and assistance gratuitously?—I do.

When was your attention first drawn to the disease now prevalent in the establishment?—In the month of March last.

Were you not consulted prior to March?—I was not.

No notification was given to you during the whole month of February, for example, as to the state of the health of the Penitentiary?—None whatever.

What was the condition of the Penitentiary when you first visited?—The sickness which prevailed was reported to me, by the physicians who had been called in aid, to be that of scurvy; they had themselves examined the whole of the convicts in the Penitentiary; they reported the disease to be the scurvy; and my visits then were, in common with them, round the different infirmaries and pentagons, and I had opportunities of making various observations.

Does your opinion concur with the medical persons who attend that establishment, that the disease decidedly was the sea scurvy?—Certainly.

Have you seen many scurvy cases?—It has fallen, probably, to my lot, to have seen a much larger number than practitioners, as civilians, have generally seen, from being in the habit of visiting patients in the lower parts of Westminster.

To what cause would you attribute the scurvy you have seen in the lower parts of Westminster?—I will go back as far as the winter of 1814; I then occasionally attended the united workhouse of Saint Margaret's and Saint John's; during that severe winter, we had upwards of twenty well marked cases of scurvy, and much worse than any I have seen in the Penitentiary; and it was observed by the then living apothecary, that on the recurrence of spring, when the warm weather returned, the scurvy spontaneously disappeared.

To what causes should you attribute the scurvy, then prevalent among the poorer classes?—From the very cold and damp winter, with occasional severe frost, which formed the character of the winter of 1813 and 1814, and a general deficiency of vegetable diet.

Has there been any similarity of weather during the last winter, and the winter of 1813?—No, they were very different; there has been a more continued dry frost during the last winter than in 1813 and 1814, which I conceive to make an amazing difference in the production of disease.

Should you consider the last winter as likely to produce scorbutic attacks to the same extent as in 1813 and 1814?—Certainly not.

Was the disease prevalent last winter in Westminster among the poor people?—Here and there I met with a solitary instance, which is the case every winter.

But last winter not more than the winter preceding?—Certainly not; for this reason; the superintendents of the workhouse having got the alarm in 1814, of so serious a disease as the scurvy existing to the amount of upwards of twenty serious cases, they clothed them better, and adopted precautions, so that the disease is now very seldom seen indeed.

You are speaking of the workhouse?—Yes, and the other parts of Westminster; for in an hospital where I am one of the surgeons, there is a case now of scurvy in a man who came from the country.

Should you consider low and insufficient diet, as one of the causes of that disease?—Certainly, as one of the causes.

Are not the lower classes of English people subject to attacks of scurvy?—Yes; more so than the higher classes.

Should you consider the lower classes being more subject to it than the middling and higher, owing to their generally not being so well fed and clothed, and lodged?—Yes; that is my impression, and from their precarious livelihood.

To what cause should you attribute the state of the disease you found prevailing in the Penitentiary?—One great operating cause, I conceive to have been the long continued cold winter; the other, certainly, the insufficiency of vegetable matter.

Do you consider that there was an insufficiency of animal matter in the food, and that the dietary in general was not sufficient to preserve the health of the persons who lived by it?—I should think that the quantity of animal food per day, or so many days in the week, certainly, was not sufficient.

Should you think, taking the whole dietary altogether, partly farinaceous as it was, and partly animal, not sufficient to maintain health?—I consider that a farinaceous diet may be carried to a much greater extent than is generally considered, and that much animal food is not necessary.

The question is, whether you considered the dietary, such as it was exhibited, was sufficient to maintain the health of the prisoners?—I think not.

Mr.
A. White.

(May 28.)

Mr.
A. White.

(May 28.)

Should you consider it as not only deficient in quantity but deficient in quality?—I consider that the quantity is ample, and that the quality is good, but that the uniformity was not that which would maintain health.

The Committee understand you to mean, that the bread and the two gruels and the soup per day, given for six months together without change, was not good for their health?—Certainly not; that is my meaning.

What alterations should you suggest ought to be made in that respect?—I would suggest an alteration taken from a comparative dietary in other institutions, where the people continue in health, many of them having the same dietary for seven ten or fifteen years.

Are you speaking now of persons who are subjected to confinement, or who have the liberty of going about and seeing their friends and relations, and amusing themselves with the pleasures and comforts of life?—Certainly, in a great degree, in confinement.

To what class of persons do you allude?—To those confined in workhouses.

Have you any particulars to give to the Committee, to illustrate that statement of your's?—I have here an abstract of the dietary of the workhouse of Saint Margaret's and Saint John's; many of those people have been, for a vast number of years, inmates of that establishment, and have very little exercise beyond that which is allowed to the convicts at the Penitentiary, they are rarely without the walls; and to a workman and workwoman who are constantly employed in the place, there is an allowance of thirty-two ounces of animal food during the week, that is eight ounces four days in the week, those are the people who are constantly employed; the ordinary diet of men and women is twenty-four ounces, the quantity of animal food allowed to men and women in ordinary, is eighteen ounces, six ounces three times a week, weighed after dressing; the working class have from thirteen to fourteen ounces of bread per day each, the other classes from eleven to twelve ounces; on the intermediate days their dinner consists of pea-soup made of the liquor in which the beef had been previously boiled, and mixed with which is a large quantity of garden herbs, turnips, carrots and celery; and gruel for breakfast; now I would beg to observe, that although this diet has never been changed, except in the alteration of the bread, from brown to white, that still this disease, the scurvy, every now and then makes its appearance among them.

Has that dietary been established any considerable length of time?—The master of the workhouse has told me it had been established upwards of twenty years.

Is the general state of the health of the persons in those workhouses good?—Yes, the general state; there is a great proportion of old and infirm people, but the young are generally healthy.

Have you never heard of or seen any disease that has broken out amongst them that might fairly be attributed to the dietary?—Certainly not.

The Committee understand you to say, that one of the traits in your dietary consists in the change?—Certainly.

In the alternation of meat and farinaceous roots?—Yes, certainly.

Is it your opinion, that what is called household bread or brown bread, is apt to act as a purgative upon persons who live upon soup diet?—I should think it would rather act as a purgative than otherwise, but not to any great degree.

White bread contains more nourishment than brown?—Yes; and I do conceive that the bran not sifted from the flour acts mechanically upon the bowels; from being refused to be taken up by the vessels in the stomach, it passes through the alimentary canals still bran, and produces a tendency to diarrhœa.

In those workhouses and in your own practice, have you used the citric acid as a cure for the scurvy?—Yes, I have.

In your practice have you found it as great a specific as you have just heard it stated to be?—My practice necessarily has been very limited, compared with that of Sir Gilbert Blane, but I do consider it a powerful antiseptic, and also an antidote of the kind described; but I would also observe, that there are many other vegetables useful, though not to the same extent.

Has it been much used in the Penitentiary during the late illness?—After Doctors Latham and Roget were introduced, they gave it a full trial, but the diarrhœas were increased by it, therefore it was discontinued.

An opinion has been stated to the Committee, that it was not unlikely that the transition from the diet that had continued from July last until the time that Doctors Roget and Latham were called in to a meat diet, was likely to have caused that diarrhœa, independently of that scorbutic affection; is that your opinion?—Yes it is; I have

I have for some weeks entertained that idea, that the sudden return from the diet which commenced in July last, and was changed in March to an animal diet, was mainly the cause of the diarrhœa that has since arisen.

You would consider the generality of the cases existing as not diarrhœa connected with scurvy, but owing to change of diet?—Yes, certainly I do; because we have had so many new cases lately of persons who, during the whole winter and spring, were in perfect health, in the latter days have been sent to the infirmary with bowel complaints.

These cases not being cases of scurvy, this citric acid could have had no effect?—None whatever.

Further than doing mischief to the bowel complaint?—Yes, where the citric acid would have been very injurious, there is no doubt there has been scorbutic diarrhœa in the Penitentiary, but the latter cases are not of that description.

Was the lemon juice tried in cases of scorbutic diarrhœa?—Yes, it was, and it increased the disease.

Is it your opinion that this disease is at all infectious?—I have been disposed to think so lately.

Is the circumstance of persons going to the same privy, likely to give it to each other?—I think that which is called in ague miasmata, the atmosphere around the persons affected may communicate it to others.

Do you know whether the officers of the prison have been affected by it?—I heard of one or two of the children being affected by it, but not the officers.

Do you happen to know, that three of the turnkeys, using the same privies with the prisoners, have been affected with it?—Since the question has been asked me, I recollect now, perfectly, that three or more of the turnkeys had it.

Has the diarrhœa affected any of those prisoners newly come into the Penitentiary?—That question I cannot answer.

Those upon whom the long confinement, and the scorbutic disorder of the winter, cannot have operated?—I have not heard of it.

Do you happen to know, whether any of the prisoners that came in about the 17th of February have been affected by this complaint?—I cannot answer that.

Are diarrhœas in general considered as infectious?—No, they are not; the diarrhœas of dysentery are decidedly infectious.

Is there any thing in this diarrhœa you would class among dysenteries?—Certainly not; from the observations I have had an opportunity of making of the evacuations, there are none of the ordinary marks of it.

From what you have seen of the Penitentiary, do you think the disease is on the decline?—Certainly; we have not a single spotted case in the Penitentiary now, nor have had in the last two months.

Upon going round the Penitentiary, do you see any visible alteration in their appearance?—I think, since the spring has returned and there has been a full diet, there has been a better aspect generally.

Prior to the disease breaking out in January and February last, was your attention directed to the look of the prisoners after they had been subjected to the new dietary?—I was never consulted upon it.

Do you think any part of the prison is damp?—I have not seen the slightest degree of damp any where; on the contrary, it is peculiarly dry and well aired.

You have mentioned the word scurvy generally, is that similar to the sea scurvy?—I have had but a few cases of persons who had come from on board of ship, and it bears a great similarity to the disease that now exists in the Penitentiary.

Do you think the taking down the walls in the court yard would materially improve the airiness of the court yards?—I was through the yards at an early hour this morning, and having heard that question asked yesterday, I was particularly attentive, and there appeared to me no necessity for it; the walking yards are much more ample than they are in many private schools; the walls are not above eight feet and a half high.

Did you happen to pace the yards at all?—No, I did not; I measured them with my eye, and the surrounding building, I should think is thirty feet high, but from the great space there is, there did not appear to be any want of circulation of air.

Are you acquainted with the degree of exercise the prisoners have?—I made particular inquiry as to that.

Do you think it has been sufficient to preserve the health and strength of the prisoners?—I should think quite so, it is more than I thought it was; there is at

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this season of the year nearly three hours a day ; I calculate that a person may eat his meal in twenty minutes, and there are three times forty minutes to walk in.

Do you think the second class have sufficient exercise ?—Certainly ; I say certainly on this ground, that I am well aware that in various institutions, not prisons, persons remain in perfect health who have not so much exercise.

For the same term of years, from ten to four ?—Certainly not ; but I consider the second class have ample exercise to keep them in health.

Have the second class the same exercise as the first, barring the working at the mill ?—They have all the same exercise at this moment ; what it was previously, I cannot say.

A dietary has been given in to the Committee this day, which is in use at Devizes, and which consists as follows :—“ One pound and three-quarters of the best wheaten bread, one pint of oatmeal gruel, with salt, and one pound of potatoes, per day. On Wednesdays and Fridays, in lieu of potatoes, one pint of vegetable soup.”—Is that sufficiently ample, and the change of diet sufficient to maintain health ?—I should think this altogether an unfit diet.

Suppose it was told you, that persons who have been subjected to that diet for six months, or twelve months, or two years, had increased in weight under it, would you consider that a sign of their having kept their original strength ?—I conceive that all animals, if I may be allowed the expression, put into a state of confinement, will get fat upon a very little food ; and I do believe this diet would, in young and healthy people, fatten them for a time ; but it would not be permanent.

You would consider that persons subjected to that diet for two years, though in appearance they might be healthy and fat, in reality they would have lost ground and strength during the time they had been in prison ?—I beg to answer, that I do conceive they would accumulate a great quantity of fat, but be deficient in muscle.

Have you any other observations to make ?—There is an observation I have omitted, and which has a reference to the diet which has latterly been established—the return from the soup diet. It had been frequently observed in the workhouse, that among children more especially, who had been out at nurse and fed upon a vegetable and broth diet, when they return to the house, for a considerable time vomitings and diarrhœas took place among them, evidently caused by the return to a meat diet.

Peter M. Roget, M. D. called in ; and further Examined.

Dr. Roget.

HAVE you since you have been medical attendant at the Penitentiary, given the citric acid to the persons who have been attacked by disease within its walls ?—We gave lemon juice very extensively to patients in the infirmaries, labouring under scurvy in all its forms ; and the result of our experience was, that the bowel affections were much aggravated by this remedy, and in consequence we discontinued it. We also gave lemonade to convalescents from this complaint, but we found it brought on a return of the affection of the bowels, and we were forced to abandon this altogether. Mr. Hutchison had given lemonade to a few patients, previously to our being called in, and we continued the practice at his suggestion ; but experience obliges us to discontinue it.

Did you find that those persons who had decided cases of scurvy and diarrhœa, that their bowels were affected by giving the lemon juice ?—Generally they were.

And even in scurvy cases, you were obliged to abandon the treatment from those causes ?—Where it was connected with the affection of the bowels.

The Committee have heard there are many cases of diarrhœa in the Penitentiary, that had no connection whatever with the scorbutic attacks ; is that so or not ?—It may be the case in some instances, but it is difficult always to determine whether the diarrhœa is connected with the scurvy, unless it is accompanied with certain symptoms.

The Committee allude to cases in which there is no scorbutic symptom ; cases of simple diarrhœa ; in those cases you would consider the giving lemon juice as likely to increase the disorder ?—I should think so, from the experience I have had in the Penitentiary.

Have you found giving oranges advantageous, or have you been obliged to abandon that ?—We have been obliged to abandon the use of oranges with many of the prisoners who had affections of the bowels, in consequence of finding it aggravated the symptoms.

There were a considerable number of convicts sent to the Penitentiary some time in

in February, about the 17th, do you know whether any of them have been attacked with the disease?—A few have.

Has the disease been an attack of the scurvy, or a simple diarrhœa, to which the prior question alluded?—In a few, there had been scorbutic appearances on the legs; in others, merely diarrhœa.

How long were those persons subjected to the old dietary?—A fortnight only.

Do you consider those persons as having brought the disease with them into the prison?—I believe that was the case with several.

You do not think that they could, in the short period of a fortnight or three weeks, have contracted the disease of scurvy from the dietary to which they were subjected?—I think they could not.

Supposing that that opinion is at all correct, that the disease is contagious, might they not have caught it?—Certainly.

From your observation, have you any doubt upon your mind upon the subject, whether it is contagious or not?—It is difficult to speak positively on the subject, but I have no distinct evidence of contagion having operated, and I do not believe it contagious at this moment.

Are you aware that three turnkeys, using the same privies with the prisoners, are labouring under diarrhœa?—I have been told so.

You have just been told, that three of the turnkeys are labouring under the case of diarrhœa, using the same privies as the prisoners, do you think that they might have caught that disease from that circumstance?—I think they might, if the disease was contagious; but it would require a considerable number of facts to establish the contagious nature of the disease.

You would not consider the cases of three persons, under all circumstances, as sufficient to establish that fact?—I should not think it sufficient.

Have there been many new cases of diarrhœa since the change of the dietary?—There have been many.

Do you consider, that the transition from the old dietary to the new is likely to have produced those cases, independent of any scorbutic attack?—Possibly they may; but I beg to observe, at the same time, that the change has been gradual; the change I mentioned on a former occasion was not made all at once, but at different times different parts of the dietary were changed.

To what cause should you attribute the new cases?—It is very difficult to determine the exact causes?—I should think a great many instances arose from the constitutional disarrangement that had been produced by low diet.

You would consider the disease as having been latent, and lately broken out?—Yes.

In your former evidence there is a mistake?—Yes, there is; I am made to give an answer contrary to what I meant to give, in page 11*, to the question, “You imagine that absence of exercise, combined with cold, is one of the material causes of this sickness?” I am made to say, in the latter part, “I do not consider the exercise in the Penitentiary to be sufficient,” I meant to say “insufficient.”

Have you seen the prisoners in Cold Bath Fields at work at the tread mill?—I have.

Have you also seen the prisoners in the Penitentiary work at the crank mill?—I have.

Do you consider the exercise of one of those mills better, or more for the body than the other?—I consider the exercise at the Penitentiary as exercising the muscles of the body more than the exercise at the tread mill.

And while it lasts infinitely more severe?—Certainly.

Are you acquainted with the dietary of the turnkeys, how they live?—I am not.

Their diet is plenty, whatever they choose?—I suppose their is no restriction.

Have you ever found any difficulty, in cases of sickness, in applying to the proper authority, in obtaining the nourishment or medicine you thought necessary?—No difficulty whatever, but on the contrary, the greatest facility.

And even wine, if necessary?—Yes, where it was ordered.

Are you of opinion, that any citric acid exists in oranges?—I am of opinion it exists in oranges, but not in an equal proportion to lemons, in proportion to ripe oranges.

Mr. John Godwin Johnston, called in; and Examined.

HAVE you attended Norwich gaol lately?—I have attended, as assistant to the surgeon who holds the appointment of surgeon there, Mr. Scott.

Dr. Roget.

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** of the Minutes as first printed for the use of the Committee: It is now corrected; see p. 26, ante. ✓*

Mr. J. G. Johnston.

Mr.
J. G. Johnston.

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Were there any cases of scurvy amongst the prisoners in that gaol?—Yes, there has been a few cases of scurvy this spring; I might say the winter, I do not exactly remember the date; I think they began the latter part of January or beginning of February.

Has your attendance been limited to this year, or have you been attending there frequently?—I have been with Mr. Scott ten years, and been in the habit of visiting occasionally.

Did you ever see cases of that kind before in Norwich gaol?—No, I did not.

To what should you principally attribute its existence in this winter?—It is difficult to say; there were only five instances; the operations of the causes are so different on different men; I have seen the causes attributed by Drs. Roget and Latham, and I recollect it occurring to my mind that they might have operated in our gaol, on a smaller scale; their friends are allowed to bring them in food in this prison, and one of those men was notorious for being well supplied; one man was decidedly so; on asking the people round what food he had, I found he was remarkable for having a very good supply sent to him once in a week.

What was the ordinary food?—The allowance to prisoners by the county is two pounds of best wheaten bread; cheese once a week; I do not know the quantity.

Had those persons been long prisoners, or were they for trial?—I believe they had been all tried.

House of Correction prisoners?—They had been riotous, and sentenced to imprisonment for a year or two.

One of them was tolerably well supplied with provisions; were the other four in the same situation?—They were not so; on asking the question of the man who inspects the food, he told me they were not; one or two of them were scantily supplied by their friends.

It is your opinion, then, that the causes which operated in the Penitentiary, according to your observation, in creating the disease there, operated equally in creating the disease in four out of those five cases?—I should say, that all the causes mentioned there cannot be necessary to produce the disease; perhaps one particular cause abounding very much, may be sufficient to produce the disease, one cause being wanting, because one man had a sufficient quantity of food, and was not much exposed to the cold.

Was not it possible that that disease might have been so strongly in his habit, as to be easily called forth by any change in his ordinary mode of life?—It might be so; he was an old man, of superannuated years.

Was he a labouring man?—I cannot say that; I should think he was a labourer, from the circumstance of his coming there.

Have you been round the Penitentiary?—Yes, on Saturday.

Was the appearance of disease in the Penitentiary at all similar to that of the five cases to which you have referred at Norwich?—Similar it was in a degree; they had petechial spots; but these men had ecchymosed legs, and in the other parts petechial spots.

You should say, that the disease at Norwich was in a more aggravated form?—Yes; or that the other was very mild; they were getting well.

What was the treatment they were subjected to?—Principally administering the citric acid.

Did you find that successful?—Yes, we did.

Any oranges?—Yes; they were ordered to the persons who were sick.

Was there any diarrhoea?—No.

Under those circumstances, you felt yourself at liberty to administer the citric acid in a good dose?—Yes; I cannot tell the exact quantity; it was administered as a medicine by us.

Is the situation of Norwich gaol low or high?—Exceedingly high; that is, the old castle.

Alexander C. Hutchison, M.D. called in; and further Examined.

Dr. Hutchison.

WHAT difference is there in the quantity of nutriment contained in the original scheme of dietary from that in the scheme recommended by you, and from that in the dietary adopted by the committee in July last?—I beg leave to preface the answer I shall make to that question with a remark or two on the subject of the calculation necessary, to come to a correct account of the three different schemes of diet. It is a question involving much more difficulty, and requiring a great deal more time, than at first sight might appear to be the case, because the diet for the men

men and women differs, and because the diet differs on one day from another day, and from a variety of other causes, which indeed requires the closest attention and study, to come to any precise point; therefore, with permission, I will read the answer I wish to give.—I beg leave to observe, that the diet in each of those schemes may, on the whole, be considered as resolving itself into two parts; namely, the farinaceous food, and the animal food. It is also necessary to premise, that, in each of the three schemes which have been mentioned, the allowance for one day differed so materially from that of another, both in respect of quantity and quality of diet, that no just comparison of those schemes of dietary with each other can be made, except in reference to the weekly ration which each scheme comprehended. I beg moreover to mention, that, in each of the three schemes, the quantity of diet allowed to a male differed, in some degree, from that allowed to a female, which renders it further necessary to distinguish the weekly ration of a male from that of a female.—First, then, in respect of farinaceous food. The weekly allowance by the old scheme of diet was, to a male, $10\frac{1}{2}$ lbs. of bread, 7 lbs. of potatoes, and 14 pints of gruel or porridge; to a female, 7 lbs. of bread, 7 lbs. of potatoes, and 14 pints of gruel or porridge. By the scheme proposed by me, the weekly allowance to a male was $10\frac{1}{2}$ lbs. of bread, 1 lb. only of potatoes, and 14 pints of gruel or porridge; to a female, 7 lbs. of bread, 1 lb. of potatoes, and 14 pints of gruel or porridge. Lastly, by the scheme adopted by the committee, the weekly allowance of the males was $10\frac{1}{2}$ lbs. of bread, with 7 pints of gruel; and to the females, 7 lbs. 14 oz. of bread, with $5\frac{1}{4}$ pints of gruel: potatoes to be given at discretion in lieu of bread, and when so given, the quantity to be double the weight of bread taken away.—Secondly, with respect to animal food. By the old scheme of diet, the allowance consisted principally of solid meat, with a less proportion of liquid nutriment; *viz.* soup or broth. By careful experiment and inquiry, I am fully certain that the strength of this soup was such as to contain the substance of 24 ounces of meat in every 13 pints of broth. The weekly allowance to a man was 24 ounces of boiled meat, and 8 pints of soup, containing $14\frac{3}{4}$ ounces of meat; in all, $38\frac{3}{4}$ ounces of meat; while to a female there were 24 ounces of boiled meat, and 5 pints of broth, containing $9\frac{1}{2}$ ounces of meat; in all, $33\frac{1}{2}$ ounces of meat. By the scheme of diet proposed by me, the allowance was to have consisted of a small quantity of solid food, but chiefly of liquid nutriment of the very same strength as that in the old scheme. The weekly allowance to a man was 8 ounces of boiled meat, with 12 pints of broth, containing 22 ounces; in all, 30 ounces of meat; while the allowance to a female was 8 ounces of boiled meat, and 9 pints of broth, containing $16\frac{1}{2}$ ounces of meat; in all, $24\frac{1}{2}$ ounces of meat. Lastly, by the scheme of diet adopted by the committee, the allowance consisted entirely of liquid nutriment of such a strength to the males, as contained the substance of 144 ounces of meat in 200 pints of broth, or 18 ounces in every 25 pints; and of this broth each male was allowed 14 pints a week, containing therefore ten ounces of meat. The broth allowed the females was of such a strength as to contain the substance of 144 ounces of meat in every 180 pints of broth, or 12 ounces in every 15 pints; of which broth each female received weekly $10\frac{1}{2}$ pints, containing the substance of $7\frac{1}{2}$ ounces of meat. The Committee will see from this the great difficulty of making the calculation; and at the time when my mind was considerably stretched upon the present business, it is not surprising I should not have made so accurate a calculation as I could have wished.

Did you ever find any difficulty in making any application for nourishment for any person sick?—No, certainly not; wine or any thing necessary for the accommodation of the sick, that I judged necessary, was never objected to by the committee.

Did you order it yourself, or apply for it?—I ordered it, and when the surgeon made application for it, it was immediately supplied, the order went from the surgeon to the steward.

George P. Holford, Esq. a Member of the Committee, further Examined.

YOU are one of the members of the committee for the management of the Penitentiary?—I am, and have been from the beginning in the month of February 1816.

In fact, the Penitentiary opened for the reception of prisoners in 1816?—It did, in the year 1816, in the month of June.

And from that period till the present moment you have given a considerable portion of your time and attention to the management of the affairs of that establishment?—I have attended to it constantly during the meeting of Parliament while

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I have been in town; in the summer I have been absent generally, but have looked in almost every year for some weeks in the course of the summer, when Parliament was not sitting.

Then the Committee may understand you to say, you have attended nearly daily during the whole sitting of Parliament?—Certainly; as much as four or five days a week; and I have also corresponded with the superior officers occasionally during my absence from town.

What time did you leave London last year?—I left London in August a little before Parliament rose; I went to Paris, and on my return I staid about a fortnight in town, and then left London.

Previous to your absence the dietary was established?—It was established on the 4th of July; I was present when it was established.

Did you visit the Penitentiary in September last?—Yes, I did.

What was the state of the Penitentiary at that time?—I knew of no difference in the health of the prisoners, nor did I hear any complaints from the officers or the prisoners.

You heard of no failure in the strength of the prisoners, nor did you hear of any complaints that then made you think their health had diminished?—Certainly of none.

When did you return to town?—I returned to town towards the end of January, I think I was at the committee on the 25th of January.

What was the report made to you of the state of health of the prisoners, on your attendance on the committee?—Previous to my return to town, I had heard from the chaplain and matron an account which led me to apprehend, that the dietary might be doing mischief in the prison, and that the female part of the prison was in a sickly state. I wrote to Doctor Hutchison upon the subject of the sickness, and I received from him a copy of his report to the committee, which is dated the 10th of January, but which I apprehend to have been written by him on the 8th; for the part of the report I received was dated the 8th; in that report there are several observations upon the dietary which led me to suppose it was not the cause of any injury in the prison.

When you personally inspected the prisoners, and made inquiries upon that subject, did you continue of the same opinion as you had formed?—I certainly altered my opinion upon that subject more than once; at first I thought, from the representations of some of the officers, that the prison was suffering from the dietary; but the committee of the Penitentiary desired Sir James Macgregor to go round the prison, as will appear from some of the papers laid before this Committee, and when I went round with him on the 14th February, I was led to believe, that it was not doing any injury to the prisoners, and that the sickness was diminished; it happened that on the day we went round, the numbers in the infirmary were much less than they had been before, or than they were very soon afterwards; I allude now to the female infirmary; the number of male prisoners sick had not been at any time very considerable. Sir James Macgregor's opinion was, that there was no cause of alarm in the prison, and no injury resulting from the dietary. He observed that the women looked rather paler than when he had visited them before in the last spring; but at that time they had looked too full, and that therefore it did not from thence follow that their appearance was unhealthy at the time he now visited them; the appearance of the men did not strike him as differing from what it was when he saw them in the spring preceding.

It is stated in the Report of the Committee of the General Penitentiary at Milbank, which was ordered by the House of Commons to be printed on August 17th, 1822, that the new dietary was established in July last, upon the best medical opinion; who was the medical person consulted upon that subject?—Sir James M'Gregor was consulted upon that subject.

The disease instead of diminishing as you thought it was about to do, in the middle of February, did it not increase very much shortly afterwards?—It certainly did.

What is now your opinion as to the cause of that disease?—From the information I have since received from the officers and the prisoners, I apprehend the disease to have been lurking in the prison for a considerable time previous to its breaking out; and as it affected the prisoners only, and the prisoners only this year, I cannot help thinking, that the change of dietary, which is the only alteration that has taken place in the prison during the last eight or ten months, must have been in a considerable degree the cause of the sickness; I apprehend the sickness does not arise from the situation

situation of the prison, or from cold, or from want of air or exercise, or from dejection or depression of spirits.

First you state, you do not think the situation has any thing to do with the sickness, be so good as to state to the Committee the ground of that opinion?—The prison has now been opened nearly seven years; up to the end of last year it has been extremely healthy; the number of deaths among the prisoners will turn out on inquiry to be about three to a hundred in a year. But besides the prisoners, there are several families of the superior officers living in the prison; the first and third governors (we have now a fourth governor) had large families of children; the chaplain has a large family, and the master manufacturer has also children; there are besides a steward and matron living in the Penitentiary, who have servants, and in no one of those families has a single death taken place, from the opening of the prison to the present time.

Though there might not be deaths take place, has the hospital been generally full or empty of prisoners?—I am no judge of the proportion of the sick that ought to be found among a number of prisoners; but I have never understood, that the numbers in the infirmaries were greater than might have been reasonably expected.

There has been no illness among the officers of the prison, or their children, that could in any degree be attributed to the situation in which they were placed?—I apprehend certainly none.

Have you known any case of ague in the prison?—I think there has been only one case of ague.

Can any part of the prison be considered damp?—There is no part of the prison with which I am not intimately acquainted, and there is not the slightest appearance of damp in any part of it.

How is the prison warmed?—The prison is warmed in three different ways. In the first and second pentagons, stoves in the passages and hot air are employed; there are two stoves in each of the four lower passages, occupied by prisoners, in each of those pentagons, and those stoves warm the middle story. We do not profess to warm the upper story at all; but some heat does make its way there. The second and third pentagons, occupied by the females, are warmed by a steam apparatus, which is attended by a person acting on the outside of the building. The fifth and sixth pentagons are warmed by a contrivance for supplying hot air, of the nature of a cockle, placed under each of the first and third towers at the angles of the buildings, which contrivances communicate heat to the four lower passages, and to the four middle passages; and a quantity of this heat escapes into the upper passages. There is a part of the fifth and sixth pentagons colder than the rest; it is known by the name of ward B.; in each pentagon it is the middle part of the lower story, part of the two middle passages being separated from the other parts of the passages in that story by partitions, with only small apertures in the partitions which divide this ward from ward A. and C. through which the heat makes its way into that part of the prison. It was thought, at the time these pentagons were first opened, that this ward would be sufficiently warmed from the other wards A. and C.; but there are preparations for a stove in the towers adjoining to this ward, in each of those pentagons, if required; and it will probably be thought right to place such a stove in this part of each of those pentagons in the next winter.

Having explained the three different modes by which the different parts of the Penitentiary are warmed, do you think that they all answer the purpose of conveying sufficient warmth to their respective parts?—I believe they do; I am not aware that many complaints have been made of cold this winter; there were very great complaints in the part of the prison occupied by females, soon after that part was occupied, some winters ago; the steam apparatus was not sufficiently powerful as it was then erected; but additional tubes for steam were afterwards placed in some of the passages in the prison; and I believe that, since that time, very few complaints have occurred. I state, that I apprehend this disease does not arise from cold, because, in the course of the winter, during which those complaints were made, and the cold was greater than it has been since, no such disorder as the present occurred; and I also state, that I conceive cold not to be the cause of the disease, because wards B. in pentagons 5 and 6, which are the coldest, are not particularly sickly.

Have the prisoners been subject to chilblains?—I am not able to answer that question; I am not aware that many of them have been prevented from working by chilblains.

Have any complaints ever been made to you, that the persons were unable to work

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in consequence of chilblains?—I am not aware that such complaints have been frequent; they may have been made occasionally.

Do you think that all parts of the prison are sufficiently ventilated, and that there is a sufficient current of pure air through the whole of it?—I believe the Penitentiary to be ventilated in a very remarkable degree; it is a narrow building, about $17\frac{1}{2}$ feet in breadth, consisting, in all the parts of the prison, (except on the upper story of the pentagons 3 and 4,) of a single row of cells and a passage, and there are windows on both sides of the building. There is also a communication from each of the cells up into the roof, to carry away foul air; and, as far as I can judge, from the opinions of those with whom I have gone through the prison, it is remarkably well ventilated.

Have you never found any noisome smell in the prison?—I think the prison is particularly free from offensive smells; the privies are all waterclosets, and there is a constant supply of water.

You have stated, that you do not think this disease has at all originated from any want of exercise, what is the exercise that each class has, beginning with the first?—The first class, prisoners, in the winter time, work in two pentagons at mills, and in two others at the machines for raising water, twice a day; they work twenty minutes at each turn, and then walk for ten minutes in the yard to cool themselves, before they return to their cells; in case the mills should be in a state not to be used, while the stones are dressing, or should be in any way out of order, the prisoners would walk in the yard during the time they ought to have been regularly employed at the mills.

Now as to the second class?—The second class had, till lately, in the winter, only one hour for dinner, air, and exercise; they generally come out of their cells from a quarter of an hour to twenty minutes after one, then they walk till two; in case of bad weather, they walk in the passages for the same time; but from the 26th of February last, the second class have been allowed to walk from nine to half past nine in the morning, their breakfasts being given out in time to be over by nine; the females are upon the same footing, as to exercise, with the second class of males; in the summer time, the first class men work twice at the machine or mill for half an hour each time, they walk ten minutes to cool themselves after each turn, and then have forty minutes more walking before they are locked up for the evening; the second class have the same exercise they have in the winter time, from nine to half past nine, and between one and two o'clock, and they have an additional hour from five to six, for a part of the summer, and from six till seven for the other part.

Do you think that the second class, as well as the first class, have sufficient exercise to keep them in health and strength?—I think they have sufficient; but there would be no harm in their having more; and the necessity of grinding more corn, in consequence of our having to provide white bread instead of brown, will make it not inconvenient for them to have more exercise; a scheme is now under the consideration of the committee for erecting two additional mills, and for adding to the machinery now employed in raising water, so as nearly to double the exercise now given to the male prisoners.

Would not, generally speaking, the second class like very much to be employed in the mill; could you not get a great number of volunteers in a day for that purpose?—They certainly would like it; for very lately, since the prison has become sickly, we have been glad to avail ourselves of the labours of the second class, and the men willingly consent to work in raising water; of course, under the present regulations, they could not be so employed without their own consent; but it will be a part of the new plan to employ the second class at the mills and water machines, as well as the first. The reason why I stated that I did not apprehend the disorder now prevailing in the prison to have arisen from want of exercise is, that the prison has been for six years healthy, with the quantity of exercise now allowed, and even with less exercise for the first class, previous to the time when the mills and machines were put up; and also that the sickness has been most prevalent among the females, who have as much exercise as the males of the second class, and for whom I should suppose less exercise would be sufficient, inasmuch as women are generally of more sedentary habits than men.

Do you think that what are known generally under the name of moral causes, are likely to have produced any effect?—The principal of those causes are depression or dejection of spirits, and I do not believe this prevails to any considerable extent in the Penitentiary; I say this partly from observation, and after having been for
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Several years in communication with the prisoners for a considerable part of the year almost daily; and partly because I do not apprehend that there would be any reason prior to experience to suppose, that dejection or despondency should be common in the prison at Milbank. I apprehend the most frequent causes of despondency and dejection out of doors, to be the want of occupation, and that lassitude of mind which succeeds to the excitement occasioned by the use of spirituous liquors, or by a very great degree of exertion; depression of spirits arising from a mistaken view of religion, from remorse of conscience, or from the sorrow occasioned by the alienation of friends, or by the loss of credit and character, is certainly very likely to arise in the Penitentiary; but I conceive the chaplain is the best antidote to dejection proceeding from causes of this kind, and the chaplain is always at hand; if the prisoner labouring under this evil should not send for him, the constant inspection to which the prisoners are subjected is such, that the chaplain would be immediately informed of any prisoner appearing to be much out of spirits, by the officers in charge of him. The prisoners are also liberally supplied with bibles, and with that class of religious books which is calculated to excite hope rather than despair. It should also be observed, that the prevailing sickness has been most frequent among the prisoners of the second class, who associate together during the whole of the day, and whose minds may be considered as likely to be cheered by the hope of a more speedy release than can be expected by the prisoners of the first class. For these reasons I apprehend, that dejection or lowness of spirits is not likely to occur to any great extent in the Penitentiary, or to have been the cause of the present disease.

From your observations among the second class, is there that general air of cheerfulness which you find among those who work out of prison?—I think their spirits are generally pretty even; never very high, nor ever much depressed; neither mirth nor sports of any kind would be allowed. There is nothing in the prison of the nature of solitude, properly so called, even among the prisoners of the first class, who are kept separate during the day. The wooden doors of the cells are generally open, and the prisoner is allowed to come out at any time if he has occasion to go to the privy; there is generally a wardsmen going about the ward, and an instructor passing from cell to cell, to give the prisoners instruction in manufactures; they also stand at their cell-doors at certain times to hear portions of the scriptures read, and occasionally come out to school, and they are taken up and down to and from the court yards two or three times a day; under those circumstances there does not appear to be any thing like solitude, in the sense in which that term is used generally.

The first class walk two and two round the court together, for a couple of hours each day?—In the summer they walk for forty minutes, besides the two walks of ten minutes each after their turns at the mills, or water machines; when they walk in the yard they walk two and two; they are not allowed to talk loud; they are allowed to take a book in their hands and read, if they think fit.

Do they walk two and two according to their own free will, choosing the person with whom they walk, or are they confined to any particular comrade?—There is no distinct rule on this head, but they are certainly not allowed to choose their companions generally; the only rule in the regulations of the prison upon that subject is, that they shall walk as the governor shall direct.

And, of course, in his arrangements he takes care that those persons shall walk together who would rather improve than injure each other?—It is very much regulated by the task master, unless a particular appeal is made to the governor; there may sometimes be reasons why particular prisoners should not walk together.

How long are persons generally kept in the first class?—The rule prescribed by the Act of Parliament is, that a prisoner should remain there for one-half of the period for which he comes into confinement; but it very seldom happens that any prisoner remains in that class so long, unless he is a very bad prisoner.

In life cases commuted to ten years confinement, according to the Act of Parliament, every prisoner is in the first class half the period of his imprisonment, subject to this discipline?—According to the provisions of the Act he would be so, but there is no case of any person having remained so long.

It is in the discretion of the committee to remove them or continue them, according to their conduct?—Yes; and it is also in the discretion of the committee (a discretion which is very often exercised) to remove them back to the first class, if they misbehave.

Is that considered one of the most heavy punishments?—It is.

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The removal from the first class to the second is one of the greatest rewards?—It certainly is.

Has it ever occurred to the committee to establish any thing of the nature of a treadmill in the Penitentiary?—It has not: I do not know that the subject was ever considered in the committee; but as I was one of the supervisors employed to build the prison and to set up such mills as were necessary, the subject was considered by me, it was, however, before the treadmill was much in operation; I think the treadmill a very useful invention, particularly suited for county prisons, or prisons where it is wished to employ prisoners for a long time together out of doors; it is tedious tiresome work, but considered as a means of exercise, I do not apprehend the treadmill to be any thing like so good as the crankmill; the principle on which the Penitentiary was established was, the separation of the prisoners from each other in as great a degree as might be possible; the only purpose for which the prisoners are brought together in the court yard is for exercise, and for exercise I think the crankmill answers much better than the treadmill; the treadmill very seldom makes those who are employed at it perspire, at least those I have seen upon it, after having worked a certain number of minutes, have come off and sat down in the open air, it would not be consistent with the health of the prisoners employed in the crankmill to sit down in the yard, or to return to their cells, without first walking about to cool themselves; I apprehend, therefore, that the exertion used at the crankmills is much greater than that produced by the tread mill; there is also another reason why I should consider the crankmill as preferable in the Penitentiary; the disorders most likely to occur from confinement in a prison where persons are confined closely, is the scrophulous enlargement of the glands under the neck, and that sort of exercise which brings most into action the muscles about the chest and shoulders and arms, is much more calculated to prevent this disorder than that which acts principally upon the muscles of the leg. I am also inclined to doubt whether, after a man had been for several years employed upon the treadmill, his muscular strength would not be, in some degree, transferred from his arms to his legs.

Are those complaints you have referred to in the glands of the neck, common complaints in the Penitentiary?—There are many cases of that kind, and I apprehend that scrophulous disorders will frequently break out among persons who change from intemperate habits to temperance, and are subject to much confinement.

Have you often changed your governor since the establishment?—We have now a fourth governor. I should observe, that in a prison of a new character, and regulated on a very complicated system, in which we attempted to combine strict discipline with manufactures and moral and religious instruction, none of which (*i. e.* neither discipline, manufacture, or moral and religious instruction) had ever before been carried to the same extent in any other prison, it was not likely that we should easily suit ourselves with a governor; we could not expect to find any person in any other prison, whom we could transfer to the government of the Penitentiary, and accordingly we were obliged to take our chance among the most eligible persons that offered without experience. I believe the first governor expected to find his situation a much better place than he found it, in point of emolument, and did not calculate upon the degree of activity to be expected in a person at the head of such an establishment. I cannot recollect how long he continued with us, but it was not very long. The committee did not consider the second governor as having those habits of mind, particularly those habits of conciliation which are required in a person at the head of such an establishment; the third governor though not so high in rank as could have been wished, was when first appointed, not unfit for the management of the prison; we endeavoured to get persons of higher rank, but having failed in one or two negotiations upon that subject, we took the person to whom I allude; some time after he had been in the prison, he was seized with an affection of the brain and had an illness, which for a time made it necessary he should give up his charge, I believe for about a month or five weeks, and I do not think after that time, he was ever capable of the same degree of activity which he exerted before; as he has lately left the Penitentiary, I think it but justice to him to say, that there was no imputation upon him, of any want of integrity, or of having acted in any other manner than according to the best of his judgment; a want of sufficient activity was the only fault which the committee imputed to him.

How many committee men originally were appointed?—By the Act of Parliament the number is to be between ten and twenty; the principle upon which that committee should be formed, was laid down in the first Report of the Committee on Penitentiary

tentiary houses, made by a Committee of this House, in the year 1811, and it was particularly stated in that Report, that it would be proper to appoint the committee annually, in order that such gentlemen as might cease to take an interest in the concern, or might discontinue their attendance from any other cause, might be left out without any offence; the committee has not been appointed so often as annually, we have had three or four different committees appointed since the prison opened.

Have many persons resigned the situations they held?—I know of no persons who have resigned from differences of opinion or disgust, though I suspect this to have been the case as to oneresignation, I do not know it, but there may be one person who has resigned lately in consequence of not being satisfied with the state of the prison; I recollect all the members who have been left out of the last appointment, and the causes which induced the secretary of state to leave them out, except in one instance, one had quitted London, one had taken an office in London which made it impossible for him to attend, a third had lost an assistant in his office, and said that he could not conveniently attend the committee, he had never in fact been there; one of the first persons who left us, after the appointment of the first committee, in February 1816, was Lord Colchester, who had given more attendance than, considering his parliamentary duty, was consistent with the state of his health; Sir Archibald Macdonald quitted us in 1821, finding it inconvenient to attend, from age and infirmities, and ceasing to be much in London; Mr. Bathurst has also retired into the country; some members have been appointed who never attended; I think I could account for the omission of every person whose name has been left out of the lists, subsequent to the first list, except two, and I do not know the causes of their being left out.

With respect to officers, have you been obliged to change the subaltern officers?—We have had three matrons; the present matron has been in the service of the establishment from its commencement, but was originally in an inferior situation. In a very large establishment of inferior officers, it is necessary to make changes frequently; exercising a very strict discipline over the prisoners, it is necessary for us to observe much strictness in regard to the officers; the chaplain has never been changed, but some alteration has taken place in the medical arrangement since the opening of the prison.

State the nature of that alteration?—When the prison was first opened, it was a very grave matter of consideration in the committee, whether they should have a resident medical gentleman, and it was thought to be absolutely necessary that we should have a professional person residing within the walls of the prison; if we had not such a person, and any prisoner should be taken suddenly ill (should have a fit for instance) in the night, very great inconvenience would result from the governor's being obliged to send to Westminster for a medical man; or a prisoner might sham illness for the purpose of throwing the prison into confusion; on the other hand it was clear that we could not give a sufficient salary to induce a person of high standing in the medical line, to give up all other practice; we thought it was better on the whole, to have such a medical resident as we could afford; and we endeavoured to supply the want of more able assistance, by having a consulting physician, and a consulting surgeon, who acted gratuitously; Mr. White was the consulting surgeon and Dr. Hutchison was made the consulting physician; Dr. Hutchison paid a good deal of attention to the establishment, much more than was contemplated when his appointment was made; and after he had acted as consulting physician (but doing a great deal more than was expected from him in that character) for three years, I think it was about the month of May 1819, it was intimated that Doctor Hutchison would take the medical charge generally of the prisoners over the surgeon, Mr. Pratt, for a salary of 200 *l.* a year; whether this amount of salary was named by Doctor Hutchison or any of the committee, I do not at this moment recollect; I have seen it stated that a salary of 300 *l.* was offered to him, but I am not aware of that circumstance. I think Dr. Hutchison's services would not have been at all overpaid by that salary, but I should not have chosen to propose it to the committee, because I doubt whether they would have been prepared to give so high a salary, or whether Lord Sidmouth, whose approbation was necessary, would have allowed it, especially as the number of prisoners was then very inferior to what it is now; from that time Doctor Hutchison has acted as principal medical superintendent, which word was chosen to avoid the use of the term physician, as Doctor Hutchison does not act in that character in London, though he has taken out his diploma. The master manufacturer is the second person of that description we have had since the opening of prison, the first was a very young man, and his conduct was not thought steady enough for the post he occupied.

G. P. Holford,
Esq.

(May 28.)

Veneris, 30^o die Mai, 1823

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

*Sir James M'Grigor, M. D. called in; and Examined.**Sir J. M'Grigor.*

(May 30.)

WERE you consulted at any time in the year 1822, upon the subject of the dietary in the Penitentiary?—I attended twice, I think, in 1822, in consequence of a letter I got from Mr. Bathurst the 22d of March.

Did you then examine what the dietary was as then existing in the Penitentiary?—I examined it at both the times; the dietary I examined, and the state of health.

The Committee understand you to say, you examined the state of health of the prisoners, as well as the dietary by which they were maintained?—Yes; the greater part of them.

First, as to the state of health; what was your opinion of it at the time you examined them?—I found them in a very high state of health; but that the prisoners were plethoric, particularly the female prisoners.

To what did you attribute those appearances of plethora?—I thought that the diet was too full for them, taking into consideration their confinement, the very little they were called into action, and the little required of them.

So that you thought, that from the sedentary occupation, particularly of the female portion of the prisoners, the diet was too full as tending to plethora?—Precisely so.

Did you recommend that any change in that diet should take place?—I did; and I wrote a letter to the committee of the Penitentiary, dated the 27th of April 1822.

[Vide Papers (A) p. 333.]

Did you, having given in that dietary on the 27th of April 1822, make any change yourself in that plan of dietary, or did you see any other plan that had been made by other persons?—I made no change myself, but a change I believe was agreed to by the governors of the Penitentiary, and that change was mentioned to me by an honourable member of this Committee.

Did that change meet with your approbation?—I did not see any thing objectionable in it; I believe I expressed myself so at the time; it was not what I had recommended.

If the letter is rightly understood, which is now before the Committee, of the 27th of April 1822, you recommended that solid meat should not be given, but instead of that, meat mixed with soup?—The substantial change I recommended, was a reduction of eight ounces of bread from the male, and two from the female, but on its being stated that danger accrued from the use of knives and forks, I saw no reason against comminuting the animal food, mixing it with soup and making spoon meat.

That is to say, that instead of having the meat in its crude form, they were to have more of its essence in the nature of soup?—That the meat was to be cut down into the soup.

Did you mean that there was to be any meat at all in the soup, or that it was to be only the soup?—That the same quantity of meat that had been given before should be given, but so as not to require the use of knives and forks.

When you saw the dietary which was afterwards adopted in July, you would perceive that the communication of the meat with the soup was abandoned, and that no meat at all was given; did you see any objection to that when it was proposed to you?—I did not give so much consideration to that as to the other, but I did not see any objection, and I believe I so expressed myself.

You visited the Penitentiary on or about the 22d of February 1823?—I did, about the middle of February; I believe the 14th of February 1823 was the day.

Were the prisoners in the Penitentiary then in a state of sickness?—I cannot say they were; they were of less size, particularly the females, than they had been when I saw them before; I went with a view of seeing what effect the diet had upon the prisoners.

Were any statements made to you by the officers of the prison, by the matron or the superintendent of the works, or any person well acquainted with the situation of the prisoners, that their health and strength evidently were impaired?—I should say that in the shape of complaint I believe nothing came to me; but I do remember in going round among the prisoners, it was mostly the females to whom I confined my attention.

attention that day ; the matron, who appeared to feel very much for the prisoners, a very good natured woman, made some remarks that they would be much better ; the only complaint the prisoners themselves made, was about the soup, I think they grumbled about the soup, the barley soup I remember particularly.

Did you take into consideration the situation of the prisoners, and the diet by which they were nourished at that period ?—I believe their situation was precisely that it was on my two former visits, when I gave a great deal of time and attention to it.

The Committee understand you to have drawn the conclusion, that the diet had not much to do with the state of health in which the prison was ?—I am not aware that the state of health was bad ; there certainly was no increase of disease.

Have you been there since the 22d of February ?—I was there I think, either the end of March or the beginning of April, when I understood that a great deal of disease prevailed among the prisoners, the scurvy ; I requested to meet the two physicians who were appointed to visit the Penitentiary ; I saw the sick at that time.

From what you saw at that period, do you think that the disease that was then so prevalent, was to be attributed to the change which had taken place in July last ?—I beg to state distinctly, that at that time and the last visit I paid, either the end of March or the beginning of April, I saw very little of severe disease ; a number of people were presented, but they were all cases, if I had seen them in an army hospital, I should have said they were people that had very little disease about them ; I do not mean to say that previously there might not have been disease which I did not see, but those people were recovering from the disease ; I did not see a great deal of disease at that time.

Were cases shown to you, that announced the existence of that complaint, which has been spoken of here by the name of the sea scurvy ?—I do not think I saw cases which I could correctly characterize as scurvy ; I do not mean to controvert the statement of the gentlemen who attended ; but I saw them in a state of amendment ; I should have said, from my observation at the time, that they must have been all very slight cases of it.

Was there any appearance, at the time you examined the prisoners, of a general decay of health ; were their countenances less florid ; and were you informed, by the persons that had the care of them, that they were not able to go through the same exertions of labour as they were heretofore ?—Yes ; I was certainly informed that they were not, and that there was a great debility among them ; but I observed at the same time to the two physicians, that for so many sick, (I think I saw 130 or more,) I seldom saw so few sick men with such healthy aspects.

Is it your opinion now, that the illness which has prevailed to such an extent in the Penitentiary has been occasioned, in whole or in part, by the change that took place in the diet last year ?—I would distinctly say, that having thought on the subject, and therefore bringing to my recollection all the facts within my knowledge, I cannot attribute it to the change of diet.

You still entertain that opinion ?—I do, and I well recollect that I stated at the same time to the two physicians what I thought more likely to be the cause of it.

What, in your opinion, was the cause or were the causes of the disease ?—I attribute it to a general cause, affecting very much the population of this metropolis. During the period when so much sickness prevailed at the Penitentiary, there was something, as far as I can learn, of the same proportion of sickness, with an equal mortality, in the general population, particularly among the lower classes ; and the fact is very striking in an establishment which is the most analogous—the house of correction in Cold Bath Fields. The mortality and sickness of that prison, in the years 1820, and 1821 and 1822, is upon the average perhaps nine ; but, in the three months in question, their mortality, I believe, has been nine. This is a striking fact, but it is by no means a solitary one ; it has happened in the parish in which I live, that the mortality in the poor house, and in the parish at large, has been in nearly that proportion.

Which is the parish to which you allude ?—Kensington.

Are you aware, that in the house of correction in Cold Bath Fields, towards the middle of the last year, they too changed their dietary, and adopted one upon a much more reduced scale than had existed during any of the preceding years to which you have alluded ?—I have heard, within these few days, there had been a change effected ; I am not perfectly aware of it. When I last visited the Cold Bath Fields prison, it was without any animal food, except on Sunday, and then six ounces ; on all the other days, they went on bread and water.

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Are you aware that, in the Penitentiary, persons who were in the kitchens were not subject to the attack of this complaint?—I have understood that they were much less subject to it than the others; but it appears to me a sort of negative fact, that it is not the diet alone of the people who are in the kitchen; they are, in a certain degree, free from restraint, and their minds and their spirits not in the same state as those people who are more closely confined.

You are aware, that the service of the kitchen is performed by prisoners?—Yes, I am.

And that, of course, their labour being in the administration of food, they have a greater portion of food at their disposal, if they think fit to eat it?—Yes; and likewise, I presume, they are much more at liberty, and walk about, and take more exercise.

Then you would consider, as one of the moral causes, that their having a greater degree of amusement and gaiety, operated as a prevention to this disease?—Exactly so.

When you visited the hospital of the Penitentiary in February last, were any persons legs exhibited to you as showing evidently marks of scurvy?—I cannot bring to my recollection that there were.

Are you aware, that an examination took place of all the legs of the persons in the Penitentiary, in the month of March last; and it was discovered, that between three and four hundred were more or less affected with that complaint?—I have heard that was so.

Have diseases of this nature affected the population out of doors in the same proportion?—I am not aware that disease of precisely the same cast has; but I observed, among the list of diseases prevalent in Cold Bath Fields, affections of the bowels were very prevalent; in former years they amounted to, I think, 200 in the year; and I think, in those three months, January, February, and March, they amounted to sixty, which I call an extraordinarily large number.

Do you approve of the recent change which has taken place in the dietary at the Penitentiary?—I am not able to say that I am quite aware what the change is; I have generally understood there has been a great increase of animal food.

Is it your opinion, that a diet composed of any one thing continued for a great length of time would not be so advantageous to the health of an individual as an alteration of sometimes soup and sometimes meat, and sometimes vegetables, and sometimes bread?—I think there is no fact better established than that such change of diet operates strongly on disease.

And has generally been more conducive to health than any fixed diet you can name?—That involves a question which I am not quite prepared to answer; the increase in the quantity of diet is contingent on so many circumstances.

Do you think that prisoners would be in as good health upon a diet wholly farinaceous, as upon a mixture of bread and gruel with meat?—I have no doubt of it; I think that in some of the foreign prisons, but certainly in convents and religious houses, where the rules and orders require their using no animal food, they are, I know, in a state of health.

Would climate not tell in that respect?—I allude particularly to the peninsula of Europe, the climate not differing very materially from our own.

Did you ever see any large body of persons, shut up in any prison, that for any length of time had been subject wholly to a farinaceous diet, who were in a state of health?—I cannot say that I have.

Did you ever see the prison near Ghent?—No, I cannot say that I have.

Did you ever see any foreign prisons?—Yes, I have; not very lately I have visited a prison in Paris, and I saw a prison some years ago in the neighbourhood of Brussels.

You are aware that meat and soup are administered in all of them?—Yes.

You went round the Penitentiary with Mr. Holford, on the 14th of February?—I did.

Have you looked into the report of the physicians to see the number of prisoners that were in the infirmaries, on the different days in the month of February?—I saw that report when it came out, I cannot recollect the number, but I know it was very considerable.

It appears upon the report, that on the 14th of February the numbers in the female infirmary were much smaller than on any day preceding or subsequent in that month?—I believe that was so.

You

You went round a part of the prison with Mr. Holford?—I did.

Sir J. M^cGrigor.

Was not your observation to Mr. Holford at that time, that though the females looked rather paler than when you saw them before, you perceived no difference in the countenances of the men?—I now recollect that that was my remark at the time.

(May 30.)

The report you sent in to the committee of the Penitentiary, dated the 17th of February, alluded to the visit you made on the 14th, and stated the result of that visit?—It did; I visited four times, twice in the year 1822 and twice in the present year; my letter of the 17th referred to my last visit previous to that, namely, that on the 14th.

Is it supposed in the Peninsula that the people, whom you state to have lived and to have been healthy on farinaceous food, had a plentiful supply of fruit, such as grapes?—That was certainly the case; a part of their diet, one part of the year, was dry fruits.

Were the convents very rigid?—I understood they were very rigid, that the confinement of the females was as close as in any prison.

And that they had as little intercourse with each other?—That I cannot speak to.

Were you rightly understood, when you were supposed to have stated this disease to have prevailed in the workhouse at Kensington?—Not this disease, but sickness.

You consider the whole of this winter as having been remarkably unhealthy?—Unquestionably so, and with a great class of diseases.

From what time to what time?—I should say generally for the first three months of the year.

Have not diseases been generally so severe as to create a mortality which may be considered as unusual?—There has been no sweeping disease, no epidemic, but it has been a general unhealthiness of season as connected with all diseases.

In point of fact, has it not affected surgical cases to such an extent that many operations that have in former years been performed with safety, have been attended this year with great danger?—That I do not know, but I have heard the circumstance stated.

Do you consider that disorder which prevails at the Penitentiary to be contagious or not?—During the course of thirty years I have occasionally seen scurvy, I never have seen the disease contagious, but I am by no means prepared to say that it is not, for when a number of men are congregated together, I am always inclined to the opinion that it is difficult to ascertain whether a disease is or not contagious; the disorder I have very frequently seen contagious.

Is it not a received opinion amongst medical persons, that if a disease is diluted in a manner amongst a great number it may not be contagious, but if at all concentrated, it becomes so?—The more it is diluted or dispersed, the more mild the disease is, that is, if a disease be contagious, the less the space within which it is confined, the more it is extended.

So that you might mix one or two patients in typhus fever in the ward of an hospital with impunity, but if you put five or six it would so concentrate the complaint as to make it contagious?—I believe it is consonant to all observation, that confined in a small space the contagion would be very strong, and if there were a very large area or space in the open air, the disease would be comparatively innoxious.

Andrew Baird, M. D. called in; and Examined.

ARE you not inspector of the naval hospitals?—Not at present; I have been.

Dr. Baird.

Did you fill that situation for any length of time?—For twenty years; combining my appointment as physician of the fleet and commissioner of the sick and wounded board, and the sick and wounded hospitals, twenty years.

During that period have many cases of scurvy come under your observation?—Very many.

From what causes do you principally ascribe that disease to originate?—Long continued use of salted provisions, bad air, moisture, and want of ventilation and cleanliness.

Do your objections to the salted provisions arise from their being salted, or from their not being sufficiently nutritive?—I conceive that salted provision kept for a length of time loses all power of nutriment.

Then, instead of your objection lying to the salt provisions, you would more plainly say, it lay to deficient nutriment as well as moisture, bad air, and want of cleanliness?—I think so.

Dr. Baird.

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What was the practice that you adopted to check that disease?—On my first voyage to sea, as long ago as 1781, it appeared in the ship in which I was serving, in a voyage to America; at that time we had none of the antidotes to scurvy now in use on board, nor were they supplied to the service at that time; the plan we had recourse to was, to stop the men's salted provisions, feeding them upon food prepared from oatmeal, portable soup, which was then supplied to the navy, and cabbage, called sour crout, that was the means we had recourse to then; we had none other in our power; subsequently, and in the late war, the ships in His Majesty's fleet were supplied with lemon juice, and that when fresh provisions and vegetables could not be obtained was a very great preventive of scurvy; this I speak of in the medical treatment of the disease, but there was then a vast reform in the discipline of His Majesty's navy, in the comforts of the men as to cleanliness, dress, and ventilation, which I conceive had a very material effect, in combination with the use of lemon juice, in preventing that disease.

Is that disease as prevalent in the navy now as heretofore?—Certainly not.

To what cause should you attribute the decline of it?—To the improved discipline of the navy.

To better food?—The food is improved certainly; there is much pains taken to provide a dress suited to the seamen in all climates, and there is a greater degree of attention to cleanliness; moisture, I conceive, had a great effect in promoting that disease; the washing the decks and other parts of the ship promoting moisture; they are now rubbed with sand and stone, so that the state of humid atmosphere, which must always attend the continual washing of the ship, is avoided.

Have you seen the dietary of the Penitentiary that took place in the month of July last?—I have read, in a pamphlet written by Mr. Hutchison, the plan of dietary at the Penitentiary.

In your opinion, did that dietary contain sufficient nourishment for the prisoners?—I have not visited the Penitentiary since that time, therefore I cannot form any opinion from any alteration that might be visible now.

Taking the question abstractedly considered, casting your eye over that dietary, do you think that dietary contained sufficient food to maintain the men and women in health?—If I was aware of the exact quantity of meat, I could perhaps answer that.

Take it at somewhat more than one ounce a day, with a pound and a half of bread and a quart of soup and gruel?—It strikes me that so small a quantity of animal food would appear to be rather too much diluted from the quantity of broth made.

Supposing the quantity of animal food which is contained in the soup to have been given solid in the course of the week, should you have considered that as sufficient?—It appears but a small quantity, but I cannot help thinking, that diluted to such a degree, say little better than an ounce to a quart, must lessen its nutritive quality too much.

Should you think that if persons were confined a certain number of months, receiving no greater quantity of food than you have exhibited before you in that diet, that might be one of the causes of the origin of the complaint, called the sea scurvy?—Never having met with a case on shore bearing all the characters of sea scurvy, I really cannot say what effect such a dietary would have produced; speaking of the diet, if I may refer to the diet of the prisoners of war, of whom there were 70,000 in the country at a time, they were maintained in good health, at one pound and a half of bread and half a pound meat.

Meat in soup?—No, in its raw state; soup was of course made from that.

Do you consider animal food to be necessary for the maintenance of health?—We know that in some parts of the United Kingdom, for instance in Ireland, a very numerous part of the community do not eat animal food at all, but then they have the advantage of milk and vegetables, and they have not the depressing effect of confinement which prisoners are under.

Supposing a person in prison to receive a sufficient quantity of food, farinaceous and vegetable, do you consider that animal food is also necessary?—So long as the health does not appear to be disturbed, I should say not.

Supposing you increase the quantity of bread, that instead of giving a pound and a half, you give two pounds and a half, and that you give vegetables; do you consider that a food calculated to keep a person in health confined in prison for any length of time?—It must be experiment only that could prove that; I should certainly be inclined to adopt a portion of animal food.

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In preference to any quantity of other food?—Yes; because I conceive that most of the persons who are in the prison, have been accustomed to a portion of animal food throughout life.

Supposing a person committed to prison, who had not been in the habit of living on animal food at all, or very seldom having it, in that case do you consider it necessary for the health of the individual to give him animal food?—No, I do not in that case consider it necessary; still it must be matter of experiment that will prove the fact; it can only be matter of opinion.

Do you consider a vegetable and farinaceous food more effectual or less effectual in removing the scurvy, than food either altogether animal, or mixed food, animal and vegetable?—If a patient be very much reduced by the disease, I should say a combination of both; if not, and it was desired speedily to reduce the disease of scurvy, I should rest on vegetables and bread.

What nature of food do you consider best calculated to prevent the disease of scurvy occurring?—I cannot conceive from what I have seen of sea scurvy, that it can have existence where there is a sufficient portion of animal food and vegetables; I only speak, not having seen any of these cases from my reasoning on the subject, from what I have seen in other situations.

Do you ascribe the disease of scurvy more to the nature of the food or to the quantity?—To the quality.

Which quality is most likely to prevent the disease occurring, a diet altogether farinaceous and vegetable, or a diet farinaceous and animal, that is, bread and meat?—I have seen the disease produced with a diet of bread, but I have never seen it produced where the persons had the free use of vegetables.

In stating that the dietary, of which you have been speaking, does not appear to contain sufficient sustenance, what portion of meat do you reckon in the soup daily, according to the calculation you have made?—I have not examined the calculation; it was observed to me that the quantity was a little better than an ounce.

Supposing the quantity to turn out to be an ounce and a half for each man, and that there should be a very liberal supply of vegetables from the garden in the soup; and it should be also thickened with peas or barley, do you then think that would be sufficient sustenance for the prisoners?—I observed before, that such a quantity as an ounce and a half, cannot, in my opinion, impart sufficient strength to the soup, and that by so diluting it, its nutritive power must be lessened.

Do you know whether in some prisons bread, gruel and soup composed entirely of vegetables are not the general diet?—I do not.

Would not an ounce and a half of meat make a considerable difference?—It must make a difference.

If that dietary had been shown to you before it was put into use, would you have thought it an unsafe experiment to be tried on prisoners under a medical person of competent skill to watch its effects?—I think I should always have objected to the quantity of liquid.

Are you acquainted with the nature of the food which the Spitalfields weavers are in the habit of supporting themselves upon?—I am not.

Supposing that a large number of persons, confined all the day in the different manufactories, were to live on a very small quantity of bread and tea, what effect would you anticipate from such a diet?—If they have abundance of bread, tea I do not consider a very nutritive article, but the sugar with which it is sweetened is a nutritive article.

To what extent do you conceive the difference between a Spitalfields weaver confined all the day working at his loom, and working on a small quantity of bread and tea, and a prisoner confined in the Penitentiary, working at weaving, and living upon bread and a small quantity of meat and soup?—I have not given an opinion that the quantity of meat was diminished so as to affect those persons health, I have only expressed an opinion, that was a small quantity.

You have stated your opinion, that it was diluted to too great a degree in soup, and that that was the cause of the disease?—I have not said that was the cause of the disease, but that the quantity of meat allowed was too small to impart any nutritive effect to the broth, at least not to the extent which it would if the meat had been boiled in a smaller quantity.

Do you conceive that the same food which will support a Spitalfields weaver would be adequate to the support of a person in the Penitentiary?—I am not aware of the kind of labour the prisoners in the Penitentiary undergo.

Dr. Baird.

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Supposing them both to be weavers?—I am not aware of the extent of their labour, or the number of hours of relaxation they have.

Supposing the hours to be precisely the same?—The prisoners, such as are in the Penitentiary, I conceive to be under very great mental depression, and that will always have an effect upon the health.

From the mental effect produced on the prisoners, do you think an increased diet is necessary to the prisoners, over a person working in a manufactory the same given number of hours?—I am not prepared to say that; it is only those who have observed the effect, who can state that.

You have been a medical officer about forty years?—Thirty-eight years and ten months.

How long have you known Mr. Hutchison, the late medical superintendant of the Penitentiary?—I think it was in the year 1801 that he embarked on board the hospital ship, then consigned to the Baltic.

What is your opinion of his temper?—During the time that he served in that hospital ship, and at all times subsequent to that that I had opportunities of seeing him, both as assistant surgeon and surgeon in the war, for I saw him in the fleet when he was surgeon as well as being assistant surgeon; I was then appointed physician to the fleet; his conduct, in every instance that came within my knowledge and observation, was truly exemplary; I found him professionally well qualified, zealous in his duty to an extreme, active, kind and humane to his patients, and maintaining a good understanding with his messmates, and the captains with whom I have had any conversation, have always spoken of him in the highest terms.

Do you know any thing on the subject of his practice in London?—I have little opportunity of seeing his practice in London, but he has attended myself in a very serious illness, and such was the confidence I reposed in him, that were I similarly attacked again, or with any illness, I most assuredly would consult him and call him to my aid.

Robert Westcott Bampffield, Esq. called in; and Examined.

*R. W. Bampffield,
Esq.*

HAVE you had considerable experience of the disease of scurvy?—I have seen scurvy in all its protean forms, from the lightest up to the most violent, dangerous and fatal.

Have you been a professional person in the navy?—I entered his Majesty's navy in the year 1799, and served under Sir John Warren and Sir James Hawkins Whitshed; I was ten years in the *Belliqueux*, with the present Admiral Viscount Torrington.

From that extensive service you must of course have seen scurvy in all the forms you have stated?—I have seen it in every variety, and almost in every part of the world.

To what causes should you principally ascribe its origin?—Scurvy must be necessarily preceded by diet devoid of sufficient nourishment, or a diet of salt meat.

Do you mean by distinguishing the two, that if there was plenty of salt meat still the disease might originate?—Scurvy might be induced if salt meat were given without fresh vegetables in ample quantity.

The Committee understand you to assign two causes, the one a deficiency of food, and the other salt provisions?—Yes; and in garrisons besieged the cause is the same, a diet of salt provisions without fresh vegetables; in all other situations on land the cause is a deficiency of nourishment.

Have you seen many cases of scurvy on shore?—I have seen scurvy prevailing on board a ship, where we have been in harbour, land locked at Trincomalee in the East Indies; I have also seen some cases of scurvy in London.

Were those cases you have seen of scurvy in London amongst the poorer class of people?—They were cases I have seen in the parish workhouse of St. Paul's Covent-garden.

In point of fact, do you know whether cases of scurvy are common in the workhouses of the Metropolis?—They are not very common, but they occur there; I have attended the workhouse of St. Paul Covent-garden seven years, and have seen only three cases.

The dietary is good there, is it?—Yes, I believe it is better than the generality.

Then you would consider that those three cases were cases in which the disease had originated from bad food?—Yes, two of the cases were sent into the workhouse, one originated in a female who had been there a considerable time.

Were

Were those persons recently admitted into the workhouse when they had the disease, or had they been there any considerable length of time, so as to have benefited by the good food which was given there?—They had the scurvy when they were admitted.

You conceive, with respect to the third, the disease commenced while the person was in the house?—The disease originated in the workhouse; she had been there a considerable time.

In that case then, it was not bad food?—In that case it was not altogether bad food.

To what should you attribute the disease in the other case?—I am at a loss; it is the only case I ever met with in which I could not trace it to want of nourishment or salt provisions.

In point of fact, are there not some habits so scorbutic by descent, that the disease shows itself under almost any circumstances?—Amongst sailors, after they have once had the scurvy, a predisposition exists, and in some cases it requires a very long time to eradicate that predisposition.

Are not the working part of the community subject to scurvy?—They are, in some degree, subject to scurvy; when they are placed under circumstances of a diet wanting sufficient nourishment.

With the exception of the case you have stated, you are of opinion, there is no case of scurvy you have met with in which it may not be considered as arising either from deficiency of food or from the use of salt provisions?—Out of the many hundred cases I have seen I could never trace it to any other cause.

Did you ever see the scale of dietary which has been in use in the Penitentiary since July last?—I have.

If that dietary had been shown to you prior to its adoption, should you have approved of it?—I should not have approved of it, or allowed it my sanction; and I believe I should further have stated, that under such a diet, scurvy must necessarily have been produced.

Do you state that to be your opinion from the insufficiency of it, or the quality?—From the insufficiency of it, and the quality also; I have seen many persons who had a much better dietary than this who became affected with scurvy.

Do you mean the dietary adopted in July last?—Yes; in that scheme of diet there is no fresh vegetable matter whatever; none that I perceive; I do not mean farinaceous matter.

Is it intended, do you suppose, that there shall be no vegetables from the garden in the soup?—I mean to say, that that scheme does not so express it.

Are you giving your opinion under a notion that there are no vegetables from the garden in the soup?—I have given my opinion at present under that impression.

Supposing that it should turn out that there were vegetables in the soup, such as greens, turnips, and onions, should you think there was a sufficient quantity of animal matter in the soup to sustain health?—No; it occurred to me at Trincomalee, in the situation I have alluded to, that though the ship's company were allowed one pound of fresh beef per day, such as we have in the East Indies, with a small quantity of vegetables, that in one week after the men were placed on that diet, thirteen cases of scurvy occurred, and I was compelled to write a letter on service to represent that the quantity of vegetables must be increased, and which, on being given, put an effectual stop to the progress of scurvy.

Will you refer to this statement, [*it being handed to the witness,*] and see whether it is the dietary to which you refer?—The soup, in this instance, will be made precisely as that to which I have alluded. The partial allowance of vegetables were green vegetables; no barley was put into their soup, but peas were; and, notwithstanding, the men became affected with scurvy. Further, it stands on record, that the winter of 1794-5, it was an extremely severe winter, and that many ships then lying at Spithead, who were supplied with animal food, but could not, on account of the frost, obtain much vegetable matter, became affected with scurvy.

Should you think that the use of onions, to a very considerable extent, would have been a sufficient use of vegetables to qualify the meat, the mere use of which you would consider as exciting to scurvy?—I should conceive, that as much vegetable almost as could be put into broth, made in the proportion of one ounce and one-third of meat for each individual, would not prevent scurvy.

In what time do you think that would show itself?—I should think that, with such a diet in this country, it would show itself in about five months; in a tropical climate, it would show itself sooner; I speak from experience.

R. W. Bampffield,
Esq.

(May 30.)

Should you have had any objection to that dietary, from its consisting of liquids and fluids, without the use of any crude meat?—I will state, that that dietary is precisely what physicians and surgeons call low diet, and that such a fluid diet would very probably bring on diarrhœa, if long continued.

Supposing that the farinaceous and vegetable part of the diet had been used six days in a week, and that seven or eight ounces of meat had been given crude on one day; in your opinion, would that have been a sufficient diet, or a better diet than that which was established?—It would have been a better diet. My mind is struck with one fact, which bears upon this subject. On board a ship, the seamen and midshipmen, or the midshipmen's mess, are placed precisely on the same diet; but as the midshipmen dine out about once a week, either with the captain or officers mess, and obtain one full diet of fresh animal and vegetable matter about once a week; I have certainly, in all my experience, never seen more than two midshipmen affected with scurvy, and that was in a slight degree, in a cruize in the East Indies, in which there were only thirty-six men left free from it, when we arrived in harbour, out of a complement of 490.

What would be the scheme of diet that you would recommend to be adopted in a prison situated as the Penitentiary is, taking into consideration the confinement of the parties, and the operation of moral causes on their minds?—I should think, to preserve them in good health, they ought to have from four to six ounces of meat per day, with a sufficient quantity of vegetables.

Dressed or undressed?—Dressed.

Do you mean that it should weigh six ounces after boiling?—I think a hearty man should have six ounces of meat; a female might perhaps do with four or five, with a sufficient quantity of vegetables.

What quantity of bread would you add?—I think a pound of bread would be sufficient; in our workhouse we allow twelve ounces to the males and ten to the females of white bread.

And what quantity of meat?—We allow the men twenty-four ounces a week, and the females twenty-one ounces a week.

Is that given daily?—No; they have potatoes on the days on which they have meat, or esculent vegetables.

In what quantities is the meat given?—It is given on three days in the week; eight ounces Sundays, Tuesdays, and Thursdays, for the men;—for the women seven ounces, Sundays, Tuesdays, and Thursdays; then besides that they have other animal matter, they have five ounces of butter and ten ounces of cheese, a week.

Do you think that it is better to vary the diet after you have been giving them meat three days a week, or four days a week, and the other three days to give them food of another kind, or would it be most advisable to give them every day a certain portion of meat?—I observe that when the meat is served out in this way they generally (and so it is on board a ship) preserve a portion of meat for the following day; on the following day, according to the scheme, there is pea soup, and vegetables boiled with the broth; I am of opinion there should be a variety of meat, and that, in order to preserve us in health, in this climate particularly, the diet should be a mixed diet; animal and vegetable diet; I have come to the conclusion, from a variety of facts and observations I have drawn together, that I have seen scurvy induced under every circumstance, except where the parties have had a full diet of fresh animal and vegetable matter mixed.

In all climates?—In all climates.

You have visited all climates?—I have.

As you have sailed in the eastern seas, you probably have visited Bengal?—I have. Do you know the diet of the Hindoos in that country?—I do.

Is not their diet entirely confined to rice?—Certainly not.

What other diet do they live upon?—They also use animal food.

What animal food?—They do not use the beef or mutton of those countries, but they use butter, milk, cheese and eggs.

Supposing that they use butter and milk and eggs, still would not they be much more susceptible of the disease of the scurvy than persons living upon a diet, such as you have just stated to be the diet in the Penitentiary?—They also use fish, which is animal matter, and roots, and their original stamina has been derived from parents brought up upon that sort of food; the nature of the climate also renders animal food less necessary naturally there; during the greater part of the year the earth is parched up; there is no pasturage for cattle; the cattle being extremely thin and small;

small; nature would seem to ordain that the diet, in those seasons of the year, should consist principally of vegetable matter, and the animal matter I have spoken of, for if all eat animal food constantly for one year, they would almost consume all the cattle in India.

*R. W. Bampffield,
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Have you not known them frequently to live for a considerable length of time upon crude meat?—We went with an expedition from Bombay, in the year 1809 to the island of Rodriguez, windward of the isle of France, with some Sepoy regiments, and in consequence of the low diet which was observed on board ship, many of them became extremely weak and emaciated, insomuch so that the surgeons and myself among the rest, were obliged to prescribe food for them, as medicine and wine too.

You have suggested eight ounces per day, on Sunday, Tuesday and Friday, making altogether twenty-four ounces in the week, what would you give the other four days?—I have not suggested that, but stated that to be the diet in the work-house.

You have suggested six ounces per day?—Yes.

Is that diet you have stated, the diet you would recommend for a person who had been in the habit of eating animal food before he came into the gaol, or for every individual, whether his habit had been that of living well, or of living on a low diet before he came in?—I conceive that every person in this kingdom eats animal matter in some way or other, or animal food; if he does not take it in beef or mutton, he takes animal matter in butter, cheese, eggs, milk and bacon, which is just the same as fresh animal matter; in the Penitentiary, as they are not allowed to be visited, they have nothing but what appears upon the scale of dietary, and therefore they must have a substitute in solid animal food for the animal matter or food they have been accustomed to out of the Penitentiary, let their diet have been what it may.

Have you visited any of the prisons in different parts of the kingdom?—I was once in Gloucester gaol, but not with any particular view.

Are you acquainted with the diet usually given to prisoners in the gaols in different parts of England?—I am not.

Is the diet you have stated to be necessary for persons confined in gaol, a diet which you generally consider to be necessary to be introduced into all prisons of the kingdom, or do you merely consider it necessary for the Penitentiary only?—I should think experience has fully established, that a mixed diet of animal and vegetable food is the best calculated for the inhabitants of this country; and it will be more especially necessary in the Penitentiary, for they are chiefly taken from convicted persons, who have lived in the metropolis, where they have fared very well in general.

Supposing in this prison that a full proportion of the prisoners, and the greater proportion of the prisoners, are persons who have been sent from the country to the Penitentiary, what should you say?—Even supposing they have not taken beef or mutton in the country, they have taken the other animal matters I have spoken of; in the Penitentiary it would be absolutely necessary to give them animal food.

Does that arise from the situation of the Penitentiary, or any thing exclusively belonging to that prison?—Not at all; it arises from this circumstance—that custom and experience have fully established in this country, that a mixed diet of animal and vegetable matter is the best calculated to keep up the health, strength, and spirits of its inhabitants, and that it allows the mental and corporal functions to be more freely developed than a diet exclusively animal or vegetable.

Supposing it should have been found in experience, that, in the different gaols in the kingdom, a much lower diet than that you proposed has been beneficial to the health of the prisoners; that in proportion to their confinement, their health has improved; that in many of the prisons of the kingdom, they have a pound and a half of bread and a quart of oatmeal gruel a day, and meat only once a week; and that that has proved beneficial to the health of the prisoners, and kept them in constant health; what should you say?—I should inquire if the friends of those prisoners were not allowed access to them; and I should then inquire, if the friends of those prisoners did not bring them in that animal matter, which I have considered to be necessary.

Supposing the larger proportion of them received nothing whatever from their friends?—I should say such a fact was possible, but extraordinary; but I should like to see it, because I cannot give even full credit to it.

Supposing that, upon that diet just stated, no scurvy has even been known in

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those prisons ; how can you account for that, they having had only that, which you consider to be a diet that must induce the disease ?—What vegetables does the question suppose ?

With their meat, on the Sundays ; the meat boiled up with vegetables, greens and carrots and potatoes ; but on a Sunday only ?—The fact I have mentioned, with relation to the midshipmen on board a ship, would seem to apply to their situation.

You have stated, that you consider that food to be daily necessary ; supposing it to be only once a week, and yet the prisoners to continue in perfect health, and their health to improve in proportion to the time they continue in the prison, the scurvy having never occurred in many prisons ; how do you reconcile your opinion with the fact ?—I do not attempt to reconcile it ; I merely give the result of my own experience, and the observations founded upon it ; my facts and experience enable me to draw a conclusion different from that which is the result at those prisons.

Your experience is an experience on board ship ?—Chiefly.

And your experience does not arise from your knowledge of the prisons either of this kingdom or any other part of the world ?—No.

May not the scurvy which occurs on board ships arise from the quality of the food, and not from the diminished quantity ?—I have stated that it arises from the use of salted diet, that quality of food is not good, because it is not sufficiently nutritive.

Does salt deprive the meat of its nutritive quality ?—The process of salting certainly does, because all the animal juices escape in the process of salting ; soup cannot be made from salted meat, the water in which it is boiled is always thrown away.

Then is it the salt itself, or the deprivation of nutrition that causes the disease ?—I think that the salt contributes to it certainly, and I also think that the deficient nourishment extracted from it is another cause, for in most of the cases of scurvy there is a considerable degree of emaciation induced.

Does not confinement in general tend to make persons fat ?—Speaking of the whole animal kingdom, confinement generally does tend to make them fat.

So that it might have happened that persons might go out of prison increased in weight, without being increased in strength ?—Certainly ; and even where scurvy prevails some of the persons are so bloated that I think they would weigh more than they did before they became so affected.

Do you think that persons who have been confined for two years, to a diet such as you have just had described to you, might quit prison with an increased weight and appearance of health, and yet have their strength by which their bread was to be got considerably diminished ?—I should certainly think that their strength might be decreased whether their corpulence was increased or not.

Do you think that a person who had got so fat, would be able to go through as hard a day's labour as he would the day that he was committed to prison ?—In my opinion not.

Does that arise from the person being kept in a state of inactivity, or do you ascribe it to the diminution of diet ?—According to my experience it would be attributable to both.

If you were informed, that there was a prison in which the allowance every day, was one pound and a half of bread, one pint of gruel, and one pound of potatoes, four times a week, and vegetable soup for the other three days, would you conceive it possible that such a diet could be long continued without producing scurvy ?—All things are possible ; that may be possible.

Is it probable that such a diet could be long continued without producing scurvy ?—According to my experience, not.

Would a person under the confinement alluded to in the Penitentiary, with any diet, be equal to the performance of a day's work on going out ?—I think on a mixed diet of animal and vegetable food he would be, if he had had a moderate degree of exercise.

Supposing an Irishman, who had never lived on any diet but potatoes, and milk, to be committed to the Penitentiary, or any other prison in the kingdom, and fed on the same diet he had been living on, would that person be subject to the scurvy, or not ?—I have been in Ireland ; I think I have visited some of the meanest huts in Ireland, and I never saw an Irishman who was fed so low as on potatoes and milk ; I think I have invariably seen that they had hens who laid eggs, I have seen them in general ; I have also seen a pig in the house ; I have seen a cow generally either in one cabin, or amongst two or three cabins, from whence they made butter
and

and cheese; and I conceive, upon that diet in the Penitentiary, an Irishman might enjoy his health, if you gave him butter, cheese, milk, butter-milk, eggs, and some vegetables, and a slice of bacon now and then.

Then it is to be understood that it is sufficiency of diet, and not its being animal food, which is actually necessary for the prisoners who are committed?—I consider that it must be a mixed diet of animal and vegetable food, not in beef or mutton necessarily, but there are many other articles of animal matter which constitute part of our diet, and must be all included in a subject of this nature.

Do you conceive that a man set to weaving, who had not been accustomed to it, and kept to it for twelve or fourteen hours a day and doing nothing else, would be so equal to do a day's work as if he had been accustomed to it?—He would be as equal, but inasmuch as he would bring other muscles into action which were not previously employed in weaving, those muscles the next day would feel weary; in order to do a day's work of any kind with ease and without pain, a man must be accustomed to it.

Having seen so much of the scurvy at sea, what was the medical treatment that you were in the practice of using?—My medical treatment consisted invariably in administering citric acid or lemon juice, and in such necessaries as the surgeon had in his charge.

Did you find the use of the citric acid affect their bowels?—The citric acid, when I began to employ it in cases of scorbutic flux, I apprehended would affect the bowels; and in consequence of that apprehension, with a quarter of a pint of lemon-juice I began the administration, with one grain of opium, and, very much to my satisfaction, I found that it did not disagree with the bowels; and therefore, in all cases at sea, where I had to contend with the scorbutic dysentery or scorbutic diarrhœa, I administered four ounces of lemon-juice to a grain of opium, either twice or four times in the four-and-twenty hours; and if that did produce any uneasiness in the bowels, I gave them aromatics and carminatives always.

Did you find ripe oranges as beneficial as lemons?—I never found oranges so beneficial as lemons, there is no fact of which I am so well convinced, as that the principle which cures scurvy, as a medicine, is citric acid.

Almost in the nature of a specific?—Almost; it has been given in fresh lemons, it has been given as preserved in bottles, and it has been administered in the pure crystals of citric acid, and in each instance, in each form, it has shewn its beneficial effect; the juice of oranges is useful in the proportion that it contains the citric acid; Seville oranges contain more citric acid than the sweet oranges; sweet oranges contain very little citric acid.

Then they are useful only as other vegetables would be?—Yes; I conceive that they are useful as a nutritive vegetable, as containing sugar and mucilage.

Would the use of sugar with the citric acid diminish its effect?—No.

Might it not lessen the tendency, which it is described sometimes to have, to create diarrhœa?—According to my experience, citric acid, administered in the way I have spoken of, I have very seldom seen to disagree.

Did you, in the cases of diarrhœa in which you employed lemon juice, give it in combination with opium?—Yes, always.

How many grains of opium to so many ounces of lemon juice?—We generally gave a grain of opium with every four ounces of the juice; and in harbour, when the patients ate fresh lemons, I gave them peppermint and laudanum.

In common cases of diarrhœa, that are not scorbutic, would the use of citric acid affect the bowels?—I believe it would; and if the citric acid, in scorbutic diarrhœa, affected the bowels much, I should deem it a proof that the scurvy was receding.

The Committee understand you to say, that from your experience as to the effect of citric acid not operating on the bowels in the cases of scorbutic diarrhœa, you would consider the fact of that operation taking place upon the bowels as a proof that the disease was abating?—Yes.

Are you a colleague of the late medical superintendent of the Penitentiary, Mr. Hutchison?—I am.

How long have you known that gentleman, and what is your opinion of his temper and general deportment, and his attention to the sick of the charity to which you mutually belong?—I have known Mr. Hutchison eighteen years; I have always found him a man of most excellent temper; he is frank, open, generous, and communicative; I invariably found him humane even to his disadvantage; I have experienced his humanity myself when I was a patient of his in Deal hospital, and it was upon

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that occasion I formed a great friendship for him; and as a colleague, certainly, he is very humane, very skilful, and very able.

From your great experience of the scurvy, will you inform the Committee whether it be not a disease that will sometimes appear among a community of persons, affecting only one, two, or half a dozen individuals at a time, and not spread further?—In my experience, certainly, a few cases will occasionally occur when the ship's company is perfectly free from it.

You have spoken very highly of Mr. Hutchison, will you inform the Committee whether you have ever called him in to attend professionally upon yourself and your family?—I have in almost all cases.

Was the diet established in July last, in your opinion, the cause of the scurvy in the Penitentiary?—From all the experience I possess, and the facts I know, I cannot for an instant entertain a doubt of its being the cause of the scurvy prevailing there.

In your opinion, would one substantial good meal a week, ward off scurvy?—I think I have answered that question by stating the case of the midshipmen; that is the nearest fact I have upon that subject; on that fact I am of opinion, it would go a great way to ward it off, if not wholly do it.

Have you been obliged occasionally to desist from the use of citric acid, lemon or lemon juice, on account of diarrhoea?—Never when I have used it in the guarded manner I have communicated to this Committee.

Would you have considered yourself blameable, if you had exclusively recommended the use of oranges for the cure of scurvy, where you could have obtained lemons?—From my experience, I should have considered myself criminally so; I never could have forgiven myself, if I had so done, because I have never seen oranges produce the beneficial effect in scurvy, that I have seen lemon juice and citric acid do; and I only know two cases on record that have been cured by oranges, and those are in the transactions of the Royal College of Physicians, recorded by Dr. Heberden; in two cases that occurred at St. George's Hospital, he prescribed six oranges a day, and they got well; in another case he stated, that the oranges were too dear, and the hospital could not afford them, and they got well without them.

Have you any recollection how long you were in general, in eradicating scurvy from a ship, after you came into harbour?—One month, or three weeks; never more than a month in the worst condition we ever came in, with only thirty-six men free from the scurvy, and we went to sea well in a month.

Were the ships in general having the scurvy, on reduced allowance?—No; but entirely on salted meat. At the time I particularly allude to, 1806—1807, lime juice was not supplied to the ships companies in India, as it was afterwards, and the consequence was, four or five hundred men died of the scurvy in a year, in the East Indies, in the fleet under the command of the present Lord Exmouth; on representations being made at home, at the recommendation of the respective surgeons, it was served out afterwards.

Augustus Granville, M. D. called in; and Examined.

Dr. Granville.

HAVE you had an opportunity of seeing many cases of scurvy?—I have as a naval surgeon; I have seen scurvy in naval hospitals; I have seen a few cases on board two blockading squadrons, off Toulon, and off Lisbon; I have seen it on board captured vessels; in the West Indies; in the French army; on board a large Turkish fleet; in the prisons in Paris; and a few cases in the London hospitals and dispensaries, to two of which I myself belong; but if my experience were limited wholly to the two latter opportunities, I should consider my evidence as of very little weight; for scurvy must be seen in large congregated masses of people, to be properly judged of.

What, in your opinion, are the leading causes that originate this complaint?—I believe that every medical man of experience, that has seen scurvy on various occasions, will hesitate in giving an absolute answer to that question; for I have known instances where scurvy has arisen from want of proper nutrition; I have known it arise where the diet was too highly animalized; I have known it where diet was of a mixed kind, vegetable and animal, to a proper amount, and arising evidently from other causes; so that I cannot make up my mind with regard to any conclusive answer to that question. Perhaps I should state one or two facts in illustration; in three of the French hospitals, in 1817, at which period I resided in Paris,

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Paris, and was in the habit of attending them, scorbutic diarrhœa among the patients arose from nourishing them wholly on the gelatine obtained from bones, according to the process of which is very well known in the case of a prison which I visited on many occasions; the scurvy in a very severe form broke out among some of the prisoners, so as in fact to people the infirmary with one-third of the population of the prison, which is generally 800, although the diet was similar in every respect to that of the other prisons in Paris, and the fact may be found in the report laid before the minister of the interior in 1819, that it was supposed to arise from the prisoners being clothed with linen cloth, merely a jacket and trowsers of linen, in a very severe winter.

In the latter case you have named, that of the was not the prison very much overcrowded?—There are in part of the prison, which is separated from any other, accommodations for 800 prisoners; but generally speaking there are more. At the period I am alluding to, they were removed immediately, so as to leave only 600 or 700; a chain of the convicts was sent out to Brest in consequence.

That prison is in general ill ventilated?—It is.

Is it not dirty?—In some parts; in the parts where solitary confinement is used, and where those that are about to set out for Brest are confined.

It is cold?—Very cold, particularly upon that occasion.

Has your attention been drawn to the dietary that was established in the Penitentiary in July last?—My attention has been called to it, not since I have been summoned, but previous to that, in consequence of the question interesting materially a person for whom I have a great regard.

What is your opinion as to the dietary in use from July to March last?—[*The witness referred to a paper.*] May I beg to ask what is the average quantity of meat on each ox head?

According to the last accounts stated in Mr. Hutchison's scheme, the quantity is stated to be eight pounds the head, with a pound for the bone; the quantity of green vegetables being taken at a pound for five people:—In consequence of my attention being drawn to this very question, I tried to recollect, and indeed had recourse to several documents which I brought with me from Paris, and which were intended for publication, with reference to the diet of the French prisons; and it is a curious coincidence, that upon calculating the nutritious part of the diet at the Penitentiary, from the 5th of July, as stated in Paper (A) p. 332 of the printed papers, with that which, on great and weighty considerations, has been adopted in all the prisons of Paris, such as , the two differ scarcely from each other. With the permission of the Committee, I will just read some very short notes, which will be shorter than any answer I can give.—In the generality of prisons in Paris, the allowances are, to those who are committed to take their trial and not obliged to work, one pound and a half of bread a day; the bread is made of three-fourths wheat and one-fourth barley; one pint of Rumford soup, which answers, I believe, to your soup here, the soup which is given to the poor here, by tickets; to those who are content to work, but refuse to do so indiscriminately, the same quantity of bread and water only; to those who are content to labour and work, the same quantity of bread daily, four ounces of stewed beef without bones, and a pint of broth with it, Sundays and Thursdays only; every other day, a pint of broth, with eight ounces of vegetables; no distinction as to sex.

Is there no water gruel?—No. Now it will be seen from that statement, that the allowance of bread daily is the same; that if you take an ox head to give eight pounds of nutritive animal matter, and the bones, by ebullition, to give, what is known from experiment, three ounces and three drams and a half of gelatine by mere ebullition, you will have had eight pounds from the ox head, one pound and three-quarters of gelatine from the bones, making nine pounds and three-quarters of animal matter for 100 persons; according to your scheme, giving one ounce and five drams of nutritive matter in each pint of soup, or three ounces and one-quarter per day. The vegetables employed may be, according to very recent experiments, considered equal to one ounce of nutritive matter; so that you will have had ten ounces of nutritive matter, independently of bread and of the gruel. The diet would then stand thus, in the scheme of the committee in July 1822:—One pound and a half of bread; one pint of gruel, equal to three ounces of bread. By

account, which has been published within the last two years, two pints of soup with vegetables are calculated to amount to four ounces of nutritive matter.

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On comparing this with the diet in the prisons in Paris, there will be found no difference.

Are not the prisoners at Paris permitted to buy any quantity of food they choose?—Very few individuals indeed, and those out of abuse, and against which reform has been called for, rather than from system.

Is there not a person in each prison who is permitted, under licence from the to sell meat and vegetables to the prisoners?—There is, but under very great restrictions; none of those who do not choose to work are permitted to purchase, else the punishment of bread and water, of course, would become null.

The bread and water sentence is for contumacy in refusing to work?—It is.

With the exception of the Sainti, are not the prisons at Paris only for persons imprisoned for short periods for trial, and after trial till they can be sent to the chain, or to the different Maisons de dépôt in France?—That is not the only one; I could mention instances in which on my visits I have found persons who have been detained fifteen and even twenty years in the Sainti.

Did you observe, that the health of the persons who have been kept on that diet in the prisons in Paris, has been at all injured?—Cases of scurvy regularly occur every year in almost all the prisons, but they are, as it has been stated in this place before, sporadic, it will affect one, two, three, or half a dozen individuals, and stop, nor am I aware that any change of diet is made in consequence; nor do I think that it has been suspected the present diet is the cause of this annual appearance of the scurvy.

In your opinion, is the present diet in the prisons in Paris, with the want of proper ventilation, and the dirt of the prison, one of the causes of that disease, namely the scurvy, where it occasionally appears?—Decidedly so.

What was the medical remedy you have been accustomed to apply in cases of scurvy, where you have seen it?—Decidedly citric acid.

You consider that remedy almost as amounting to a specific?—I believe the profession who have had any experience have been agreed upon it, as they have been in some other specifics for other complaints.

Have you ever found it act upon the bowels and create diarrhœa?—Certainly; but I have not desisted from using it in consequence of that.

Should you think that, if many cases of diarrhœa arose from the application of the citric acid, that would really show you that those cases of diarrhœa were not cases of scorbutic diarrhœa, but of common diarrhœa?—I cannot answer that question; I am not aware of having given the lemon juice, but when I was perfectly sure that the scurvy existed.

Did it, in fact, often produce diarrhœa?—Not often, in my experience; I have had some experience, for I was seven years at sea; the sailors, when they were suspected, were subjected to the use of citric acid; the sailors disliked it very much, but they have gone on under my observation for weeks taking the citric acid, as a preventive rather than a cure, without the slightest symptom of diarrhœa; it was taken with sugar.

In those cases of diarrhœa you have met with, did you mix opium with the citric acid?—I did occasionally, but not systematically; not from any plan; I have tried it as every one has been in the habit of using opium, to check diarrhœa.

Did you find that practice successful when you tried it?—Generally, as well as in private practice.

Have you not made a mistake in your calculation; is not the ox-head to a hundred quarts, instead of to a hundred pints?—It is to be divided into two pints daily; in consequence of that, it would be only half as much as they have in the French prisons; but then there is the gruel here, which is equal to three ounces of bread more.

Should you think it an unfit experiment to try that dietary in a prison, under the observation of an experienced medical man?—I cannot answer that further than my experience goes; I have seen persons in prison have a similar diet, without any serious disease that can be ascribed to it; I see no objection, therefore, to its being tried, and especially if it were under the care of a medical superintendent.

If you were understood rightly, you never have seen a number of prisoners under the operation of this diet, because the prisoners you have seen in France, had nearly twice the quantity of animal food?—It appears now that they have; it would stand here as in the other diet; there would be instead of four ounces of nutritive animal matter, just one half of that which is ascribed here to the ox-head, but that would not make it the two ounces.

You

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You have said, that you have seen a large number of prisoners subject to this diet in France, and that occasional illnesses of scurvy have been produced; that scurvy had been produced by more causes than that one, and that the diet might form one of the causes; having seen this reduced dietary, lower than that you saw in France, do you think that any of the diseases which have been produced, have been produced by that decreased diet?—I have not visited the Penitentiary; to answer that question, I should have been informed whether it is the scurvy or not.

Take it as the scurvy?—The diminished quantity of food, such as the proportion here mentioned would make it, would no doubt have a very lowering effect upon the constitution; but when I couple with that the fact I have just stated, where wholly animal diet produced scorbutic diarrhœa, I ought to hesitate before I give a decisive answer.

If that dietary, as you understand it, was presented to you, you having the care of a large prison, and being at liberty to make such representations from time to time as you would think fit, would you consent to follow that experiment?—If the gentlemen at the head of the prison consulted me on the subject, previously presenting the scheme of diet, and fully giving me liberty to make representations that should be attended to instantly, I should think myself criminal, particularly if there were public reasons, in not making the experiment; but I would not let the experiment go further than I found to be safe.

Is there any thing on the face of that dietary obviously so low, as to induce you to remonstrate against it, previously to its being tried?—No; from my calculation, I would not shrink from making the experiment.

Are you a colleague of the late medical superintendent of the Penitentiary, Mr. Hutchison?—I am.

How long have you known that gentleman, and what is your opinion of his temper?—I have known Mr. Hutchison since 1808; in all the occasions I have met him, either in public or private life, I have always found he conducted himself in a manner meriting the approbation of all who knew him.

In the charities to which you mutually belong, what has been his conduct?—His reputation in the navy stands very high, both as to humanity, great assiduity, and great skill in his profession.

Have you called upon Mr. Hutchison to attend professionally upon yourself or family?—I have occasionally had his services in my family, as a surgeon. I wish to state one additional fact, with regard to the scheme of diet. I do not quite agree upon the principle on which the committee of the Penitentiary seem to have acted, with regard to the exchange of potatoes for bread; for it stands here, “that the committee do substitute, at their discretion, potatoes for bread.” That, there is no objection to; but, “at the rate of one pound of potatoes for half a pound of bread,” that is not a proportionable quantity; for, from the information derived from the experiments of the same great chemist I have recently mentioned, upwards of two hundred experiments on different bread and potatoes, half a pound of bread requires one pound and a half of potatoes, to be equal in nutritive properties; they stand in the proportion of 125 to 375, or as one to three.

Have you ever been informed, that, in point of fact, that substitution has never been made?—Never.

Under any circumstances, would you substitute the use of oranges for the use of lemons, in case of diarrhœa?—Diarrhœa, arising from what cause?

From scurvy?—Not if I had the choice of either; and oranges I would use only where I had not access to lemons; and for a very good reason—that the citric acid being admitted to be a specific, a larger quantity given under a smaller compass, the sooner we are sure of curing the disease. Now a lemon, supposing it contained but one ounce of lemon-juice, according to the experiments of , contains sixteen grains of solid citric acid, which is the principal cure for the scurvy. Now an orange, supposing it to contain also an ounce of juice, will supply only one grain and a half of solid citric acid.

Would not the citric acid of the lemon be much more likely, though given in much smaller quantity, to affect the bowels than the orange?—I observed, in my former evidence, that it would not; but that if it did practically, which it seems, in some instances, it would not deter me from using it, there are means of counter-acting that baneful effect of the citric acid, without its doing away with the principle derived from the substance itself.

Would not you, on general principles, if you found any medicine too violent in

Dr. Granville.

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its effect on the patient, in any way dilute that medicine?—Decidedly so; but this is a diminution of the principle of citric acid and not a dilution of it.

Is it not given in a more harmless form?—I should say, without hesitation and from experience, that in cases of diarrhœa, the orange juice is more likely to

than the citric acid, and for this reason, that the citric acid is in a higher proportion in the orange as combined with the acid of apples, which is known to be hurtful in cases of diarrhœa, and as you must give it in large quantities, the pulp matter being so great would of course derange the stomach, which is already, by the disease, but out of order.

Suppose you give it in juice?—There is still a great quantity of mucilage which belongs to the orange, which does not belong to the lemon; a good deal of fibrous and pulpy matter.

P. M. Latham, M. D. further Examined.

Dr. Latham.

WILL you state your opinion on the use of the citric acid in the Penitentiary?—We employed this citric acid only in the infirmaries, and not in the prison at large, and we found it necessary, in every case in which we administered it, to give it in combination with opium; we still had reason to believe that it irritated the individuals; we tried every possible expedient of combining the citric acid with other medicines, such as aromatics, still it seemed to us to have the same injurious effect on the bowels, and at length we were driven, with great reluctance, from its employment altogether.

Did you administer it in cases that you would consider as decidedly scorbutic?—Undoubtedly.

Having the same effect?—Yes.

Equally affecting the bowels in decidedly scorbutic cases, as in cases of a more doubtful nature?—Undoubtedly; we recurred to the use of citric acid in the case of convalescents, and were obliged to give it up; convalescents who had had diarrhœa in combination with their scurvy.

What is the proportion between the lemon and the orange; how many oranges would produce the citric acid in one lemon?—That has been stated by Dr. Granville, twelve.

Are you of that opinion?—I never made the experiment.

Peter M. Roget, M. D. further Examined.

Dr. Roget.

YOU have heard what is stated by Dr. Latham, do you concur in the opinion he has just given?—I concur most perfectly.

AT THE PENITENTIARY.

Lunæ, 2^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Thomas Rickford, called in; and Examined.

T. Rickford.

(June 2.)

ARE you steward of this establishment?—Yes.

How long have you been so?—Three years.

The Committee see, in the scheme of dietary which was introduced on the 4th of July 1822 into this establishment, it is therein stated, “the soup to be made with ox heads, in lieu of other meat, in the proportion of one ox head for about 100 male prisoners; the same for about 120 female prisoners;” why were ox heads taken in lieu of other meat?—The other meat was discontinued, and ox heads introduced to make the soup instead.

Upon what principle was the proportion of one ox head to be divided among 100 male prisoners, and 120 female prisoners, formed?—I was asked, what proportion of ox heads I thought would make the soup equal to what they were then having; and I said, one ox head to each pentagon.

What were your reasons for saying so?—When the roast beef for Christmas fell on the meat day, we purchased ox heads to make the soup next day; at that time we made use of ox heads to make it; one we were allowed by the new dietary.

What is the average weight of each ox head?—Twenty-seven pounds.

To

T. Rickford.

(June 2.)

To whom did you make that observation?—To Mr. Pitt.

Did you communicate that also to the committee?—No.

Was Mr. Pitt going round to make inquiry upon this subject?—Yes; I went round with him to each of the kitchens, at the same time.

And you, in the course of conversation, made that remark to him?—Yes.

Did you think that giving one ox head in each pentagon was equal, in point of quantity, in meat to the quantity in the soup under the old dietary?—Not in quantity; but it would make the soup equally good in point of nourishment.

If it was not in the quantity of meat, what was it that would give the nourishment?—The nourishment from the bones, and the meat also from the head, was in the soup; in the other soup there was no meat, merely the liquor from the meat of the previous day.

Then the Committee understand you to say, that it was your opinion that the soup, with the juice of the ox head and the meat of the ox head in it, would have been equal in quality to the juice of the six ounces of meat, without the meat, under the old diet?—Yes.

Repeat again why you formed that opinion?—The meat from the ox head, with the nourishment from it, was equal to the soup made from the six ounces of meat for each prisoner.

Why do you think so?—When the roast beef was given under the old system twice a year, when it fell on the meat day, we purchased ox heads to make the soup; we purchased four ox heads among 708 prisoners.

And you considered each head weighing twenty-seven pounds?—Yes.

And the soup you gained from that, you considered as good as that you got under the old dietary?—Yes.

Under the new dietary, supposing you had 101 prisoners, how much ox head did you send?—One and a half.

Supposing the number of prisoners to rise, how soon did you increase the quantity from a head and a half?—When they arrived to 151, we increased it to two; thus, kitchen, N° 3, was having three heads and a half for 202 prisoners.

What other ingredients was put into the soup besides the meat?—They add one pound of vegetables to five prisoners.

What vegetables?—Celery, carrots, turnips, and parsnips.

Does that continue through the winter?—One winter we had no carrots, and I purchased them from Covent Garden.

Any potatoes?—Yes, at one time; but they were discontinued.

Any peas?—Yes, peas and barley alternately.

Did not Dr. Hutchison think, at one time, that a pound of vegetables to five men was not sufficient?—Yes.

What was done in consequence?—It was raised from one pound to four.

Could you get that sort of vegetables all the winter through?—Yes.

Do they grow upon the premises here, or do you buy them?—We generally have them; but at that time we were out, owing to the change of dietary.

What quantity of vegetables did you give between the 4th of July 1822 and the 28th of February 1823?—One pound to five.

When was it altered from five to four?—I cannot tell, without reference to my book.

Did that include the barley and peas?—No.

What quantity of barley were they allowed?—A gill and a half.

From whom did you get your directions, as to the quantity of barley, peas and vegetables, to be put into the soup?—From no one.

Did you exercise your own discretion upon it?—I understood from the cook, when I commenced steward, that a gill was always what they received, which was discontinued in the new dietary, except the peas; they had an additional half gill allowed them.

Do you grow in the garden here sufficient vegetables?—Yes, excepting potatoes.

Have you grown potatoes?—Yes.

What became of them?—They were sold.

Why?—They were very bad.

The ground grows very good carrots?—Yes.

Had you any conversation with any other member of the committee, as to the quantity of ox head to be put into the soup, except Mr. Pitt, before the new dietary was established?—No.

T. Rickford.

(June 2.)

What quantity of bread did you give?—One pound and a half to each male prisoner.

What quality of bread?—It was then brown bread.

When are you speaking of?—To the 4th of July.

How much bran was taken out?—Twelve pounds and a half each sack.

What quantity is taken out to make the white bread?—I believe, the whole of it.

You do not know the quantity?—No, I do not.

What is the quality of the bread now?—White bread.

James Eversfield, called in; and Examined.

J. Eversfield.

ARE you a cook in this establishment?—Yes.

In what pentagons?—In the kitchen of 1 and 2 pentagons.

Was any inquiry made in your kitchen as to the quantity of meat in the soup, in the dietary of July last?—The time the alteration was made.

Who made the inquiry?—Mr. Morton Pitt.

Did you answer that inquiry?—Yes.

What did you tell him?—He asked me what would be sufficient to make good soup for the prisoners each day, and I told him the least quantity would be two ox-heads for each pentagon.

How many were in each pentagon?—One hundred and fifty in each pentagon.

That would be two ox-heads for 300 prisoners?—No, four for 300.

That was a larger allowance than was allowed?—Yes.

Should you have thought that the soup made out of two ox-heads for each pentagon, would have given the prisoners soup as good as they had before?—Yes; I think in preference to it.

Why should you have thought it would be better?—We had only one sent in for the soup of the preceding day, when we had roast meat for the prisoners.

So you thought double the quantity would have made as good soup as they had before, if not better?—Yes; we had only one before; that was only one day in each six months.

How many quarts of soup did you make out of four heads?—A quart for each man.

Did you make the same quantity out of one head before?—Yes.

Was any other inquiry made of you, of the quantity of meat in an ox-head, in February last?—Yes; Mr. Hutchison asked me what might be the quantity from those heads.

When was that?—Upon my word I cannot say; it was the beginning of the year; I told him it was about eighteen pounds of meat taken off the two heads.

Was it before or after they were boiled?—After they were boiled.

What is the weight of an ox-head before boiling?—They allowed them to be twenty-seven pounds, average weight.

By the contract?—Yes.

According to your statement, two ox-heads produced eighteen pounds of meat after boiling?—Yes; nine pounds each, eighteen pounds for the two.

What allowance do you make for the bone; how much bone is there in an ox-head?—I never weighed it.

Did you take out eighteen pounds of meat, exclusive of bones and anything that might boil?—Yes, after every thing was cleared away.

How do you make that out; state to the Committee how you made the soup?—I used to take the heads, and after cleaning, put them into two bags, and put them with the barley into the liquor in the afternoon, at one o'clock, and boil them till twelve the next day; and when I took them out of the bags the bones were white and dry then, and we took them up, and chopped them up on a tray.

What became of the water in which they were boiled?—That was the soup.

Then there were eighteen pounds of meat to put into the soup after the boiling?—Yes.

You took nothing out but the bones?—Yes; there was nothing but jelly.

What quantity of water did you boil them in at first?—About thirty gallons.

Before you put them into the soup?—Yes.

You first put the heads into thirty gallons of water in a bag, and after boiling them for about six hours, you took them out, and the meat then came from the bone?—No; I drew this water off they were boiled in in the morning, then I put in

J. Eversfield.

(June 2.)

in the barley or peas, and put in the bags with them again, and after it came to a boil put the liquor in drawn off over night.

At what part of that proceeding did you weigh the meat?—About twelve o'clock.

After you had drawn off the soup you took out the bones, and you then weighed the meat, did not you?—Yes.

And it weighed eighteen pounds?—Yes.

After that you put back the water with the barley?—Yes, and that made the soup up.

Whatever escaped from the meat into the water did not form any part of your weighing?—No, but it was put into the soup.

Whatever escaped from the meat into the thirty gallons of water in which you first boiled the head must be taken in addition to the eighteen pounds?—Yes, certainly.

What do you consider an ox-head to be equal to in meat?—That I cannot say ; they allow them in the contract to weigh twenty-seven pounds.

Did that make better soup than the other?—Yes.

How much soup would twenty-seven pounds of meat make, equal to the soup you made with one ox-head?—It may make thirty gallons of good soup, with barley and peas.

How many gallons would an ox-head make?—Not above half the quantity.

Does that arise from the bones in the ox-head?—Yes, the bone.

Or the quality of the meat?—There is but very little meat on an ox-head, not more than eight or nine pounds, and thirty pounds of meat must make it much better.

Which do you consider the best, the ox-head or the shin of beef?—The shin of beef.

Weight for weight?—Yes.

Which do you think the best for soup, weight by weight, the ox-heads or the clods and stickings?—The clods and stickings.

As containing more juice?—Yes.

Are you reckoning meat against meat, or meat against bone and meat?—Meat against bone and meat.

Meat against meat the Committee mean?—I think ox-head would be as good as the other.

Do not the brains melt away in the first hour's boiling?—Yes, we put them into the bags altogether.

Mr. John Pratt, called in ; and Examined.

HOW long have you been surgeon to this establishment?—Seven years.

How soon did you observe any alteration in the appearance or strength of the prisoners after July last?—I think about the month of October I began to pay some little attention, to notice it in some degree, a pallidness in their looks.

Mr. J. Pratt.

Did you observe yourself, or was any report made to you by others, that they were less strong?—No, not at that time.

How soon was that report made to you of their deficiency of strength?—At some time on going round with the matron ; the turnkeys had also complained of their inability to perform their work.

Male as well as female?—Yes ; more particularly the females.

Did the prisoners complain to you of their feeling a want of additional food?—The females in particular, that they felt a diminution of their strength, and weakness of their stomachs.

In October?—Yes.

Did those complaints continue all the winter?—Yes, they continued more or less during the whole winter.

Did any of the officers of the prison, such as the matron, tell you the same thing, that it was their observation as to the females?—Yes.

Did the superintendent of the works say the same as to the males ; the miller or other officer?—I did not receive much complaint from him.

Did you make any report of that to Dr. Hutchison?—I think I did once or twice mention it, that there was a pallidness about the countenances of the people, but he did not think it was the case on going round.

Did you make any report to the committee?—I did frequently in my journal mention that there was a pallidness and want of strength in their stomachs.

Mr. J. Pratt.

(June 3.)

Was that journal communicated to the committee?—It was, on the days on which they sat.

Is it the practice for the committee to look over, when they sit, the journal of the medical officers?—I believe so.

Have you brought your journals with you?—Yes.

Refer to any passage in your journals during the last winter, in which you have stated your opinion as to the deficiency of food, or the state of health of the prisoners?—In the month of September last, in a letter I sent to the committee it is there stated, “although the prisoners appear to be in good health, yet I perceive
“ a pallidness about them, which to me appears to arise from the present dietary,
“ which I am fearful we shall find shortly will increase, accompanied with a diminution of strength, and they will be unable to do any laborious work, particularly
“ weaving, &c.”

Is that your monthly report?—Yes.

Did Dr. Hutchison go round with you?—Yes, he did.

Were any observations made between you, upon that subject?—Not to my knowledge.

Did you mention it to him?—Yes, I did; and he knew I objected to the dietary, thinking it was insufficient; on the 4th of February 1823, I said, “we have five or
“ six cases partaking of the nature of scurvy, which I fear can only be accounted for
“ from the dietary,”

Was not that letter delivered in on the 8th?—I believe it was, though written on the 4th, that being the first committee that met after the Report; on January the 11th, 1823, in the journal, I say, “I fear the severity of the weather, accompanied
“ with the diet, has been the cause of the very great increase; I think it is obvious
“ that the diet, although sufficiently nutritious for a short time, will, when continued
“ for any considerable period, produce a debility in the stomach, which having no
“ substance to act upon must destroy its muscular action; the food being in that
“ prepared state leaving very little either for the saliva or the gastric juices to do, and
“ renders the constitution more liable to receive disease, and particularly so when the
“ mind is affected, from the loss of liberty; and we find the females are more susceptible and subject to more diseases than males:” and on the 17th of January I again say, “I beg leave to observe, that I have found several of the males complaining of the state of their stomachs, and a degree of nausea and emptiness.” On the 1st of February I mention the case of Margaret Hayes, “her debility arises
“ from, if I am informed right, her not taking her food.”

Were statements made to you, on the part of the matron, that, in November or December, some of the females could not keep their broth upon their stomachs?—Yes, certainly, there were.

At evening or dinner time?—Particularly in the evening.

Was any thing done?—A change was made, by giving them warm water.

By whose advice or authority was that given?—By the advice of Dr. Hutchison.

Did you concur in it?—Yes, I did.

Are you certain he was present?—Yes. On February the 8th I say, “Permit me to state, that I found, both in the male and female pentagons, a diminution
“ of strength and loss of appetite, but more particularly among the females; their
“ countenances are pallid, and they complain of weakness in the region of the
“ stomach; many, I fear, cannot take down their soup. I am fearful we shall, in
“ a short period, find a very great accumulation of disease, arising from debility;
“ and I certainly do not think the present diet sufficient, to give them *that* support
“ which it is necessary they should have.” On the 27th of February I have remarked,
“ There has been a great number of slight attacks of diarrhoea in the pentagons, but
“ which are doing well; this has been both in the males and females; and there is,
“ I apprehend, the scurvy among them, which has made its appearance on their
“ legs, having discovered spots, although the grand mark distinguishing that disease,
“ the wasting and spongy appearance of the gums, had not taken place.”

When was that delivered in to the committee?—On the 28th.

At what time did diarrhoeas become prevalent among the men?—Diarrhoeas became prevalent among the men in the month of March more particularly.

Were they prevalent earlier in the winter?—In a slight degree they were; I mention in February, “There has been a great number of slight attacks of diarrhoea.”

Was that circumstance of the warm water communicated to the committee at any time?—I do not think it was; I do not recollect it.

You

You have stated, that early in February you discovered some appearance of the scurvy?—In some few cases.

Did Dr. Hutchison communicate to you at all the scurvy he had discovered in January?—Certainly not; for I twice asked Dr. Hutchison, “What is this disease?”

“Cannot say, at present.” He declined answering.

Did Dr. Hutchison always resist the opinion you seem early to have entertained, that the dietary was the cause of it?—I always understood he did.

The Committee understand you to say, then, that from the beginning you always considered the dietary too low?—Certainly I did. I have a letter to that effect, which I wrote to the committee, on the 15th of March 1822:—“Gentlemen:

“Permit me to offer to you a few observations on the dietary of the prisoners.

“At present, it certainly appears to be too abundant; at the same time, it is my

“opinion, that animal food should not be totally abolished. I am aware there are

“many objections to giving them meat in a solid state; but it should be taken into

“consideration, that they are confined for a considerable time; and under those

“circumstances, a total deprivation I am fearful would be injurious to their health.

“They have now four meat days a week: if they were to have only three, I think

“it would be sufficient; and it might be reduced in quantity about one ounce from

“each mess; their gruel and vegetables should be continued in the present quan-

“tities. If it should be your determination to discontinue the meat, permit me to

“recommend they should be allowed soup, made of ox cheek, legs of beef, and

“cow heels, which, being made with proper care, would be very nourishing; and

“it might be advisable that ‘Papyon’s digester’ should be used, for the purpose of

“dissolving all the nutritious parts of the bones: this, I think, would be a good

“substitute for the meat. Prior to serving the above, it should be strained through

“a very coarse strainer or sieve; by which means all the residue would be taken from

“it, and that would prevent the prisoners complaining that one had a greater pro-

“portion than the other. At the same time, I am fearful that a long continuance

“of soup, however strong, might produce affections of the bowels.

It appears on the minutes of the committee, of the 21st September 1822, there

is this entry; “The surgeon’s report for last month submitted, upon a remark in

“which, relative to the dietary, Dr. Hutchison had been requested to attend the

“committee, and being called in, he gave his opinion thereon in a very satisfactory

“manner;” were you present at the time that opinion was given?—No.

Have you ever recommended more food for the prisoners than the committee were inclined to give before the new dietary?—Yes.

Have you ever recommended tea and porter for prisoners not in the infirmary?—

I have for the prisoners in the pentagons; more particularly for the laundry women.

Do you think that the work in the laundry requires greater support for the strength

of the female prisoners than what they already receive?—I certainly did think that

the women in the laundry required more support than they did receive; not more

than they do receive.

At what time?—From the commencement I have said so.

At present they receive more in the way of nourishment than they ever received?

—A great deal more.

Under the old dietary, had not they a double allowance of meat on washing days?—Yes.

Yet you always thought they should have more?—Yes; I always recommended that they should have porter.

Do you know of any rule or practice in the prison to remove persons from the dark cells to the infirmary, previous to being sent into the pentagons?—Certainly not.

Did that ever take place?—Never, except in the case of disease; when I have visited a man in a dark cell, and found him unwell, I have removed him into the infirmary; but that has very seldom occurred.

In that case, has not the man gone back into the cell when he has recovered?—He has.

Is illness a very common circumstance after long confinement?—I have only seen it in one case; that was a case where the party had been confined a long time, and the spirits were very much depressed.

What number of patients are in the infirmary?—439.

How many are there in the prison?—840.

More than half are in the infirmary?—Yes; but we do not look upon all of them as sick.

Mr. J. Pratt.

(June 2.)

Those who are in the infirmary are under medical treatment?—Yes, merely from labouring under the present disease.

Have you not, of late, kept every man that has gone into the infirmary a considerable time, by way of precaution?—Yes, certainly; the major part of them are there for precaution.

Mrs. Wilkinson, called in; and Examined.

Mrs. Wilkinson.

HOW long have you been matron in this establishment?—Three years.

You have been in the service of the establishment a longer period?—Yes, seven years.

Ever since its commencement?—Yes.

How soon after July last did you make any observation as to the appearance of the female prisoners?—About the month of October I perceived a very visible alteration in their looks.

Had the women made complaints to you during that period?—Yes, they had.

What was their appearance which struck you?—A pallid look in general, and I thought a diminution of strength in general.

Did they complain that their strength was diminished?—Yes.

Did you make any communication of that to any one?—I believe I applied to Mr. Pratt.

Did you communicate the same to the visitors?—I do not recollect at that time that I did.

Did you communicate it at that time to the committee?—No, I did not.

Did you mention it to Doctor Hutchison?—No, I did not.

How soon after that time did you communicate the observations you had made, as to the apparent health of the prisoners, to any of the persons belonging to the establishment?—I communicated it to Mr. Pratt, and I believe to Mr. Bennet.

How soon?—About November; October or November.

Did the prisoners complain during all the months of November, December and January, of feeling a deficiency of food?—Yes; I have heard the prisoners complain to Dr. Hutchison when he paid the monthly visit.

Did their stomachs ever reject the soup?—Yes; latterly it did.

At what period?—I believe about December.

Did it happen in any particular ward, in November?—In pentagon 4, it appeared; but I believe in most of the wards.

To any extent?—Several of the task-masters of Pentagon 4 used to complain.

How soon was warm water allowed in any particular ward in the evening?—In November.

Was it in the nature of tea?—No; the women applied to Dr. Hutchison, stating that their stomachs would not allow them to retain the food.

Was it given?—Yes.

How long did they use it?—Until the time gruel was substituted instead of soup at night.

What was the date of that period?—Some time in January; by the committee it was done, I applied to Mr. Courtenay, the visitor.

Was Mr. Pratt present when that complaint took place?—Yes.

Did Dr. Hutchison say what that weakness of stomach was owing to?—No: I had very little conversation with Dr. Hutchison, he scarcely ever spoke to me.

Since when?—Since the month of June.

When you made any remarks about the state of the weakness of the prisoners, what did he say?—I made the remark about the 3d of January, when he went his rounds with Mr. Pratt, and upon coming out of the last door I observed, that the women looked very bad indeed, the answer he made was, that he never saw them look better.

You are quite certain of the fact, that your observations were directed to the state of the women in October, and that all October, November and December they were looking ill, and in January you thought them looking remarkably ill?—Yes.

Did you hear the women complain to Dr. Hutchison?—Yes, many of them of weakness, and the want of more substantial food.

When did they make those complaints to him?—In the months before January.

Did you communicate to Mr. Bennet your opinion upon the subject?—Yes.

Did you desire him to write to Mr. Holford upon the subject?—I did.

When was that?—In the months of November, December and January; it was the latter end of November or December.

Have

Have you any information you wish to communicate to the Committee as to the state of the female part of the Penitentiary?—No, not that I am aware of.

Mrs. Wilkinson.

Is there any practice in the Penitentiary of sending the women to the infirmary after they are taken out of the dark cells, before they are returned to the prison?—No, certainly not; unless they are ill, and then they are ordered in by the doctor.

(June 2.)

That would happen as to any place of confinement, not a dark cell?—Yes.

John Lodge, called in; and Examined.

YOU are taskmaster in this establishment?—Yes.

J. Lodge.

How long have you been so?—Three years and three months.

Was there any period, since you have been taskmaster, in which the prisoners of the first class have not had more than about five minutes walking in the course of twenty-four hours?—No, certainly not.

Did you ever hear such complaints made?—No, never.

Did you make any complaint to any one, in the last autumn, that the prisoners had lost their strength, and that they were not able to do the same work they did heretofore?—Not to my knowledge.

You never said that to any one?—No, not to my knowledge.

Did you observe that they did not work as heartily?—They did not, certainly.

Do you recollect what part of the winter it was?—The latter part of the winter.

December or January?—January and February.

Did you observe that their strength appeared to decline as the fall of the year approached?—No, I did not.

Did you observe any alteration in their looks?—There was an alteration in their looks, in January and February.

And in their apparent strength?—I never found them fall off in their work till latterly.

Have you made that statement to Drs. Roget and Latham?—No; I believe I was never asked the question.

After the dietary had been increased in March last, did the prisoners work more heartily?—No; nor yet to this time do they work better than they did in the winter.

Neither before the new dietary, nor afterwards?—Before, there might have been; since, there has been no difference.

Do they like working at the mills?—I have never heard them express any aversion to it.

You would find no difficulty in getting the second class to volunteer to work?—I have often had them volunteer lately to work at the water-engine.

Peter M. Roget, M.D. and *Peter Mere Latham*, M.D.; again called in; and further Examined.

HAVE you any later account to give the Committee, as to the state of health in this establishment, since you were last examined?—The cases of diarrhœa, although they are more numerous, are, on the whole, milder in their character; there are several cases that are very severely affecting of diarrhœa.

*Dr. Roget,
and
Dr. Latham.*

Females more than males?—About an equal number.

Have the appearances of scurvy subsided?—They have, very generally.

Can you say that the severity of the sickness is diminished?—The severity is certainly diminished.

Much diminished?—Yes, considerably.

Doctor Latham.—The other day it was stated by Sir Gilbert Blane that two-thirds of the prisoners laboured under a considerable degree of scurvy; he took his test from the state of the men's gums, without looking at their legs, and it is quite clear that in some of those in whom he considered scurvy to exist, by that test, their gums were affected by mercury.

He was not aware of the treatment they were under?—I believe he overlooked it; we suggested it in a case or two.

You concur in opinion with Dr. Roget, that the appearances of the scurvy are on the decline, and that the cases of diarrhœa, though more numerous, are more mild?—Yes; I do not know the exact number, but there are above 180 females under medical treatment, and of those 180 there were only to be found 27 suffering diarrhœa, all the rest have been well, without any symptom of disease, for different periods, between two days and ten days.

*Dr. Roget
and
Dr. Latham.*
(June 2.)

But still under medical treatment?—Yes.
Does the same proportion exist as to the males?—Yes, I think so.
How many of the 439 patients do you consider convalescent?—
Doctor Roget.—More than two-thirds certainly.

The Rev. *Thomas Rennell*, called in; and Examined.

Rev. T. Rennell.

YOU were present at the meeting of the committee held on the 11th of January 1823, at which it appears that it was resolved that a pint of gruel should be furnished to each female prisoner in the evening, in lieu of soup?—Yes.

Under what regulation was that done?—Who first suggested it I cannot immediately call to mind, but I have some belief it was the matron; it was discussed in the committee, and the opinions both of Dr. Hutchison and of Mr. Pratt were taken, it was approved by them, and ordered.

Did it appear at that time that the women were unable to take their soup in the evening?—Yes, upon the representation of the matron.

Was any question at that time put to Dr. Hutchison, as to whether the dietary was doing mischief in the prison?—There was, by myself.

What was his opinion?—His opinion was, that the increase of the disease which then anxiously engaged our attention, was not at all to be attributed to the change of the dietary.

Were you present on the 24th of May last, at which time the new dietary was finally determined upon by the committee?—I was.

There was one member rather averse to the change?—I remember there was but one.

Perhaps you recollect who that one was?—Myself.

Do you recollect whether any person stated to the committee any thing respecting the opinion of Dr. Hutchison upon that dietary at that time?—I certainly recollect a very long statement being made by a then member of the committee, Mr. Morton Pitt, and I certainly, at that time, was impressed with the notion, that Dr. Hutchison coincided with Mr. Pitt in his opinion of the dietary then appointed, that he had no objection whatsoever to its adoption.

Did you form that opinion from what was stated by Mr. Pitt, or by Dr. Hutchison?—By Mr. Pitt, and for this reason, that it entirely took away any medical objections to the dietary, and therefore prevented me urging my objections to the new dietary upon medical grounds.

Were your objections entirely upon medical grounds, or because you thought it would be attended with inconvenience and disturbance?—They were both upon medical grounds and moral grounds; but the opinion of Sir James M'Grigor and Dr. Hutchison, as reported by Mr. Holford and Mr. Pitt, so far stopped me from making any objections upon medical grounds, that I did not state them.

Edward Bootle Wilbraham, Esq. a member of the Committee, Examined.

*E. B. Wilbraham,
Esq.*

FROM the printed paper delivered into the Committee on the 2d of May, it appears that Dr. Hutchison, in a letter addressed to the superintending committee of the Penitentiary, complains of the conduct of the committee in a transaction which took place between them and him in June 1822; can you explain the circumstance on which he founds that accusation?—I was much surprized at the observation in his letter, and at his adverting to the correspondence which had taken place between him and the committee in the month of June last, in terms denoting a belief in any unfriendly feeling or unhandsome conduct towards him on the part of the committee, as the transaction in question ended by his writing them, through me, the accompanying letter of the 17th June, and he has never given any member of the committee, from that time till he sent some of us a copy of that letter referred to in the question which he has lately printed in a pamphlet, reason to believe he doubted their kind intention towards him.

[*The letter above alluded to, and the answer to the same were delivered in, and read, as follows:*]

“ Dear Sir,

Leicester-square, 17th June 1822.

“ The communication conveyed to me last night, by Dr. Granville, from the deputation of the committee, has not only relieved my mind from an infinite degree of anxiety, but has impressed me with sentiments of the highest gratitude to yourself and the other members of the committee concerned in the late most painful discussion, for your very friendly and most kind demeanour towards me.

“ By

" By whatever misconception of your letters, my friends and I happened to receive the impression that I had actually fallen in the estimation of the committee, still, while such an impression existed, it was natural that I should strenuously exert myself to recover their good opinion, and believing myself under the intolerable imputation of a habit foreign to my nature, it will, I hope, be a proof that I valued their good opinion the more highly, that I could not bear the apparent loss of it on such grounds with tranquillity.

" It being explained, however, by Dr. Granville, that the committee never entertained the idea that I had conceived to have influenced them; I can have no hesitation to receive the wish conveyed in your first letter, as gratefully as I have no doubt it was meant kindly, and I beg you will be pleased to convey to the committee, my respectful assurance that no effort on my part shall ever be omitted, to impress on all concerned in the Penitentiary, a conviction that I am incapable, at any hour of the day or night, of failing in my duty; and it will require very little additional circumspection on my part, to convince them effectually, both by my manner and practice, that I have, in reality, no other motive than the strictest performance of my professional duties: I should indeed deeply lament that any circumstance could for a moment induce them to think otherwise.

" I have the honour to be, dear Sir,

" Your very obedient and obliged humble servant,

(signed) " *A. Copeland Hutchison.*"

" E. Bootle Wilbraham, Esq. &c. &c. &c."

" Dear Sir,

Portland-place, June 18, 1822.

" I have seen Dr. Granville, who has delivered to me your communication, which I laid before the committee; and I have great pleasure in assuring you, by their directions, that they have received it as you could have wished them to do.

" I am, dear Sir,

" Your faithful humble Servant,

" Dr. Hutchison."

" E. B. W."

Martis, 3^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

Thomas Grimston Estcourt, Esq. a Member of the House, further Examined.

HAVE you been able to procure any of those papers from Devizes, which the Committee requested you to do the other day?—I have got an account of the weight of all the prisoners committed to the house of correction at Devizes, at and since the quarter sessions held at Devizes in January 1819, including only such prisoners as had been committed for nine months and upwards. In order to show the Committee the comparative commitments for nine months, and for lesser periods, I have also procured the total of the number of prisoners committed to the house of correction at Devizes, at and since the quarter sessions held at Devizes in January 1819; showing those who have been committed for nine months and upwards, and those that have been committed for a less time.

Is that an abstract of the papers you have given, in the paper you now hold in your hand?—No; this is the whole number committed; there are 2,376 committed.

Is their weight given?—No, not in this; it is in the other; and I have a copy of the dietary as now used.

That is different from the old dietary?—Yes, by the use of soup, which they give twice a week.

With meat in it?—No.

[*The following Papers were delivered in :*]

*E. B. Wilbraham,
Esq.*

(June 2.)

*T. G. Estcourt,
Esq.*

(June 3.)

ACCOUNT of the WEIGHT of all Prisoners committed to the House of Correction at Devizes, at and since the Quarter Sessions held at Devizes, for the County of Wilts, in January 1819; including only such Prisoners as have been committed for Nine Months, and upwards.

NAMES of PRISONERS.	Sentence of Imprisonment.	Date of Commitment.	Date of Discharge.	Weight on Admission.	Weight on Discharge.
Sarah Biezley - - -	12 cal. months	15 Jan. 1819	14 Jan. 1820	Weight not taken.	
William Alexander - - -	2 years - - -	d° - - -	11 d° 1821		
Stephen Winchcomb - - -	d° - - -	d° - - -	d° - - -		
James Tucker - - -	1 d° - - -	d° - - -	d° 1820		
James Dowdell - - -	9 cal. months	d° - - -	11 Oct. 1819		
Thomas Dowdell - - -	d° - - -	d° - - -	d° - - -		
Thomas Durdle - - -	2 years - - -	d° - - -	11 Jan. 1821		
George Durdle - - -	d° - - -	d° - - -	d° - - -		
Richard Heard - - -	d° - - -	d° - - -	d° - - -		
Joseph Wild - - -	d° - - -	d° - - -	d° - - -		
Charles Watkins - - -	d° - - -	d° - - -	{ 27 Feb. 1820, by order. }		
Joseph Bailey - - -	d° - - -	d° - - -	11 Jan. 1821		
John Jerrett - - -	18 cal. months	d° - - -	d° 1820		
Richard Tuff - - -	d° - - -	d° - - -	d° - - -		
Richard Archer - - -	d° - - -	d° - - -	d° - - -		
Thomas Simpkins - - -	10 d° - - -	d° - - -	11 Nov. 1819		
William Holton - - -	12 d° - - -	5 March -	4 Mar. 1820		
Thomas Tucker - - -	d° - - -	d° - - -	d° - - -		
Noah Tovey - - -	d° - - -	12 d° - - -	5 Mar. - - -		
Richard Brown - - -	d° - - -	d° - - -	d° - - -		
John Cock - - -	d° - - -	d° - - -	d° - - -		
William Garrett - - -	d° - - -	24 April - -	19 April 1820		
John Webb - - -	d° - - -	d° - - -	d° - - -		
Charles Goodfellow - - -	15 d° - - -	d° - - -	19 July - - -		
William Bourton - - -	12 d° - - -	d° - - -	19 April - - -		
Benjamin Penny - - -	d° - - -	d° - - -	d° - - -		
William Adlam - - -	d° - - -	d° - - -	d° - - -		
William Parker - - -	d° - - -	14 June - - -	5 Mar. - - -		
William Clarke - - -	2 years - - -	d° - - -	5 Mar. 1821		
Thomas Hurley - - -	12 cal. months	16 July - - -	12 July 1820		
Thomas Fay - - -	d° - - -	30 d° - - -	23 d° - - -		
James Barrett - - -	d° - - -	— - -	— - -		
John Neale - - -	d° - - -	— - -	— - -		
Mary Tyley - - -	d° - - -	— - -	— - -		
Mary Hancock - - -	d° - - -	3 Aug. - - -	2 Aug. - - -		
Samuel Elms - - -	d° - - -	28 Sept. - -	20 July - - -	131	125
Richard Robbins - - -	d° - - -	d° - - -	d° - - -	141	148
Richard Hughes - - -	d° - - -	d° - - -	d° - - -	163	153
Robert Rawlings - - -	d° - - -	d° - - -	d° - - -	163	167
William Hayward - - -	d° - - -	d° - - -	d° - - -	131	133
Solomon Farr - - -	d° - - -	d° - - -	d° - - -	113	124
Elizabeth Cox - - -	d° - - -	5 October -	4 Oct. - - -	—	—
Harriett Roberts - - -	d° - - -	12 d° - - -	{ 29 November, by order. }	—	—
Henry Jerbury - - -	d° - - -	22 d° - - -	18 Oct. 1821	136	141
Henry Bond - - -	18 d° - - -	13 Jan. 1820	9 July - - -	129	133
John Reade - - -	d° - - -	d° - - -	d° - - -	134	140
Henry Reason - - -	12 d° - - -	d° - - -	10 Jan. - - -	138	146
William Dance - - -	9 d° - - -	d° - - -	10 July - - -	147	170
William Curtis - - -	2 years - - -	d° - - -	{ 22 Jan. 1821, by pardon. }	115	122
William Kemp - - -	12 cal. months	10 March -	3 Mar. 1821	168	179
Thomas Keevil - - -	d° - - -	d° - - -	d° - - -	175	174
Idda Curtis - - -	d° - - -	d° - - -	d° - - -	137	135
Thomas Norris - - -	d° - - -	d° - - -	d° - - -	136	131
James Snook - - -	9 d° - - -	d° - - -	3 Dec. 1820	141	148
Thomas Plank - - -	d° - - -	d° - - -	d° - - -	147	153
Job Davies - - -	12 d° - - -	d° - - -	3 Mar. 1821	90	92
Elizabeth Blake - - -	d° - - -	d° - - -	d° - - -	—	—
William Knight - - -	d° - - -	13 May - - -	d° - - -	147	149
Benjamin Johnson - - -	d° - - -	d° - - -	d° - - -	133	129
Maria Baker - - -	d° - - -	d° - - -	d° - - -	—	—
Mary Tuck - - -	d° - - -	d° - - -	d° - - -	—	—

NAMES of PRISONERS.	Sentence of Imprisonment.	Date of Commitment.	Date of Discharge.	Weight on Admission.	Weight on Discharge.
James Tucker - - -	12 cal. months	15 July 1820	9 July 1821	139	145
Thomas Self - - -	d° - -	d° - -	d° - -	141	146
Joseph George - - -	d° - -	d° - -	d° - -	144	150
William Raymond - -	d° - -	d° - -	d° - -	133	140
William Vincent - - -	d° - -	27 d° - -	21 d° - -	168	170
Thomas Oatley - - -	d° - -	d° - -	d° - -	164	169
Solomon Hulbert - -	d° - -	d° - -	d° - -	127	122
William Pinchin - - -	d° - -	d° - -	d° - -	159	157
George Townsend - -	d° - -	d° - -	d° - -	140	142
James Hitchins - - -	2 years - -	23 Sept. - -	21 July 1822	170	177
William Howell - - -	d° - -	d° - -	d° - -	142	136
William Hayward - - -	d° - -	d° - -	d° - -	149	143
Thomas Russell - - -	d° - -	d° - -	d° - -	176	162
Henry Bailey - - -	d° - -	d° - -	d° - -	94	114
John Dagger - - -	12 cal. months	d° - -	21 July 1821	160	160
George Hicks - - -	d° - -	d° - -	d° - -	157	164
George Burgess - - -	2 years & fined 10l.	20 October - -	14 Nov. 1822	138	140
John Gibbs - - -	1 year & fined 10l.	d° - -	14 March - -	127	131
Edward Hobbs - - -	2 years - -	10 Jan. 1821	9 Jan. 1823	142	141
George Carter - - -	12 cal. months	d° - -	9 Jan. 1822	153	159
Joseph Carter - - -	d° - -	d° - -	d° - -	155	157
Abraham Clothier - -	d° - -	d° - -	d° - -	147	157
William Turner - - -	d° - -	d° - -	d° - -	153	153
Thomas Willmott - -	d° - -	d° - -	d° - -	129	140
William Cooke - - -	d° - -	d° - -	d° - -	182	175
Thomas Flower - - -	2 years - -	17 March - -	8 Mar. 1823	161	167
James Fry - - -	d° - -	d° - -	d° - -	159	160
William Martin - - -	1 d° - -	d° - -	d° 1822	137	137
Joseph Hillier - - -	d° - -	d° - -	d° - -	132	133
Charles Smith - - -	d° - -	d° - -	d° - -	140	137
Joseph Stroud - - -	12 cal. months	d° - -	9 Mar. - -	155	162
Thomas Figgins - - -	d° - -	d° - -	d° - -	132	130
James Witt - - -	2 years - -	5 May - -	30 April 1823	146	149
James Bishop - - -	d° - -	d° - -	d° - -	163	190
John Higga - - -	12 cal. months	d° - -	d° 1821	130	130
George Barrett - - -	18 d° - -	d° - -	30 Oct. 1822	149	177
Henry Cox - - -	d° - -	d° - -	d° - -	147	176
Jacob Silverthorn - -	2 years - -	19 d° - -	9 Mar. 1823	131	140
Charles Budd - - -	d° - -	d° - -	d° - -	148	149
Joseph Holloway - - -	d° - -	d° - -	d° - -	141	140
Thomas House - - -	d° - -	d° - -	d° - -	156	159
Thomas Knee - - -	d° - -	d° - -	d° - -	124	130
William Merrett - - -	1 d° - -	d° - -	d° 1822	161	161
Daniel Everett - - -	d° - -	d° - -	d° - -	121	119
William Andrews - - -	d° - -	d° - -	d° - -	137	137
William Holder - - -	d° - -	19 July - -	9 July - -	134	137
William Maltman - - -	- - -	- - -	in custody	140	-
George Field - - -	18 cal. months	d° - -	15 April 1823	157	157
William Vizard - - -	d° - -	d° - -	d° - -	115	117
Henry Smith - - -	12 d° - -	d° - -	15 Oct. 1822	188	188
William Minor - - -	9 d° - -	d° - -	15 July - -	161	175
William Marks - - -	2 years - -	d° - -	in custody	149	-
Issac Hudd - - -	d° - -	27 d° - -	{ 9 Feb. 1823 } by pardon.	149	156
John Barton - - -	d° - -	d° - -	in custody.	82	-
Joseph Pike - - -	d° - -	18 Jan. 1822	d° - -	147	-
John Jordan - - -	d° - -	d° - -	d° - -	152	-
William Rawlings - -	18 cal. months	d° - -	d° - -	162	-
William Moore - - -	d° - -	d° - -	d° - -	154	-
Thomas Clarke - - -	2 years - -	d° - -	d° - -	174	-
William Hulenice - -	18 cal. months	d° - -	d° - -	155	-
Elizabeth Staples - -	2 years - -	d° - -	d° - -	-	-
John Street - - -	18 cal. months	d° - -	d° - -	146	-
James Muspratt - - -	12 d° - -	d° - -	15 January -	133	140
Joseph Hickman - - -	d° & sureties	d° - -	16 April - -	162	174
Isaac Tavernor - - -	d° - -	d° - -	15 January -	124	131
Samuel Alford - - -	d° - -	15 March - -	8 Mar. 1823	161	145
John Berry - - -	d° - -	d° - -	d° - -	166	176
Isaac Lucas - - -	d° - -	d° - -	d° - -	159	161
Edward Scammel - - -	d° - -	d° - -	Died 26 Apr. 1822	130	died
Joseph Bradley - - -	d° - -	d° - -	8 Mar. 1823	141	139
John Coombs - - -	d° - -	d° - -	d° - -	161	154
Thomas Blackmore - -	d° - -	d° - -	Discharged by order	135	131
William Taylor - - -	d° - -	d° - -	8 Mar. 1823	179	180

NAMES of PRISONERS.	Sentence of Imprisonment.	Date of Commitment.	Date of Discharge.	Weight on Admission.	Weight on Discharge.
Thomas Dixon - - -	2 years - -	15 Mar. 1822	in custody -	148	—
George Case - - -	12 cal. months	19 Apr. - -	15 Apr. 1823	166	171
Edward Croome - - -	d° - -	d° - -	d° - -	158	176
Robert Dance - - -	9 d° - -	d° - -	15 Jan. - -	139	141
Thomas Randell - - -	12 d° - -	8 May - -	8 Mar. - -	122	129
Aaron Townsend - - -	2 years - -	d° - -	in custody -	151	—
James Mortimer - - -	d° - -	d° - -	d° - -	151	—
George Woodman - - -	d° - -	d° - -	d° - -	135	—
John Franklin - - -	18 cal. months	d° - -	d° - -	128	—
Samuel Fussell - - -	1 year - -	19 July - -	d° - -	63	—
Thomas Blackmore - - -	9 cal. months	d° - -	15 Apr. - -	145	145
Abigail Somers - - -	12 d° - -	d° - -	in custody -	—	—
Emanuel Biggs - - -	9 d° - -	24 d° - -	19 Apr. - -	149	150
George Lawrence - - -	2 years - -	14 Sept. - -	in custody -	135	—
George Hendy - - -	d° - -	d° - -	d° - -	168	—
John Wiggins - - -	18 cal. months	d° - -	d° - -	147	—
James Woodman - - -	d° - -	d° - -	d° - -	135	—
Thomas Baker - - -	12 d° - -	19 Oct. - -	d° - -	158	—
George Dicks - - -	2 years - -	d° - -	d° - -	133	—
John Lively - - -	12 cal. months	16 Jan. 1823	d° - -	126	—
Henry Smith - - -	9 d° - -	d° - -	d° - -	163	—
George Bull - - -	12 d° - -	d° - -	d° - -	101	—
William Little - - -	d° - -	d° - -	d° - -	94	—
George Cooms - - -	9 d° - -	d° - -	d° - -	146	—
William Clarke - - -	d° - -	d° - -	d° - -	131	—
Joseph Pilgrim - - -	12 d° - -	d° - -	d° - -	146	—
John Alford - - -	d° - -	d° - -	d° - -	141	—
James Morris - - -	2 years - -	14 Mar. - -	d° - -	114	—
Richard Holliday - - -	d° - -	d° - -	d° - -	148	—
William Nutt - - -	d° - -	d° - -	d° - -	115	—
Thomas Wareham - - -	18 cal. months	d° - -	d° - -	131	—
James Huckbridge - - -	d° - -	d° - -	d° - -	97	—
James Reynolds - - -	12 d° - -	d° - -	d° - -	134	—
Thomas Read - - -	d° - -	d° - -	d° - -	88	—
William Mead - - -	d° - -	d° - -	d° - -	88	—
William Nelson - - -	d° - -	d° - -	d° - -	157	—
John Andrews - - -	d° - -	d° - -	d° - -	126	—
John Flower - - -	d° - -	d° - -	d° - -	141	—
Israel Long - - -	9 d° - -	d° - -	d° - -	128	—
Henry Crook - - -	d° - -	d° - -	d° - -	128	—
George Couzens - - -	12 d° - -	7 Apr. - -	d° - -	123	—
Walter Edges - - -	2 years - -	d° - -	d° - -	124	—
William Weston - - -	d° - -	d° - -	d° - -	159	—
Thomas Pinckney - - -	12 cal. months	11 d° - -	d° - -	171	—

“ RETURN of the total Number of Prisoners committed to the House of Correction at Devizes, at and since the Quarter Sessions held at Devizes, for the County of Wilts, in January 1819.

Number of prisoners committed for less than nine months - - 2,198

Number of prisoners committed for nine months and upwards - - 178

Total number committed - - - 2,376

“ *Edm. Cocks, Governor.*”

“ SOUP for 100 Persons :—One gallon split pease; one ditto scotch barley; onions, leeks, turnips, carrots, &c. chopt small, and added at the rate of $\frac{1}{4}$ lb. to each man; thickened with one quart of oatmeal, one ounce of pepper. In damp weather, or occasionally, add one ounce of best pounded ginger.”

T. G. Estcourt,
Esq.

(June 3.)

Did any discussion take place amongst the magistrates, with respect to the dietary at Devizes?—Yes: there was a discussion arising out of some complaints of the prisoners at the quarter sessions at Michaelmas 1820, in consequence of which a committee of magistrates was appointed to inquire into the state of the prison, and their report was presented to the quarter sessions in January 1821, and an extract from that report is the paper I will now deliver in.

[*The witness delivered in the following paper :*]

“ Extract

“ Extract of a Report from the Committee of Magistrates, appointed by the court of quarter sessions held at Marlborough, for the county of Wilts. on 16th day of October 1821, to inquire into the state of the house of correction at Devizes.

*T. G. Estcourt,
Esq.*

(June 3.)

“ We annex hereto an account of the weight of the different prisoners, taken at various times, and for a period of two years.

“ Average Weight of Prisoners :

“ From the 30th of October 1819, to 30th of October 1820, there have been received into custody and discharged, as follows; viz.

Number of Prisoners.	Period of Confinement.	Average Weight, when Received.	Average Weight, when Discharged.
2	18 monthls.	131 $\frac{1}{2}$ lbs.	137 $\frac{1}{2}$ lbs.
20	12 d°.	142 $\frac{1}{2}$ lbs.	147 $\frac{2}{3}$ lbs.

“ From 30th October 1820 to 30th October 1821 :

29	6 monthls.	137 $\frac{2}{3}$ lbs.	140 $\frac{1}{2}$ lbs.
150	3 d°.	137 $\frac{1}{2}$ lbs.	140 $\frac{1}{2}$ lbs.
18	2 d°.	127 $\frac{1}{2}$ lbs.	129 $\frac{1}{2}$ lbs.
73	1 d°.	120 $\frac{3}{4}$ lbs.	122 $\frac{3}{4}$ lbs.

I have also received a letter from the governor of the house of correction at Devizes, who states, that the present dietary agrees well with the prisoners, and that he has noticed no particular case of loss of strength produced by it, except where from age or infirmity the restricted diet is more severely felt; no prison can be more healthy, no complaints, except such as are incidental to the change of the seasons; and in another part of the letter, he says, there is not now nor has been any case of scurvy.

George P. Holford, Esq. a Member of the Committee; further Examined.

HAVE you any thing to add to your former evidence, respecting the warmth of the cells?—I should wish to state, with regard to the warmth of the cells, that all the cells in the Penitentiary, the night cells as well as the day cells, are glazed with windows in wooden frames, as nicely fitted as those in a private house; whereas in most gaols the cells are furnished only with wooden shutters of very rough workmanship, or if glazed, are glazed with iron casements, which are not capable of being shut so closely as altogether to exclude the external air.

*G. P. Holford,
Esq.*

In point of fact, did those prisoners who slept in the upper story complain the last winter of cold?—I was not in town during the greater part of the winter, but I do not recollect hearing, since my arrival, of any such complaints having been made.

Do you think that if those complaints had been made generally, that they would have come to the knowledge of the committee, or that some documents would have appeared, to show that the committee had heard any thing upon the subject?—I think that would have been the case, and I think it would have been mentioned to me since my arrival in town.

Have you brought the resolution of the committee for erecting two corn mills, with additional machinery for two water machines?—I have brought that resolution and a report of mine, upon which it is founded; in consequence of the change of flour from brown to white, there will be more time required in grinding the corn, and if the data with which I have been furnished are correct, the time occupied in grinding the corn to make all the flour wanted for the use of the prison, may occupy all the first class prisoners in the two pentagons in which those mills are to be placed, for three half hours in each day, in successive gangs; and all the second class prisoners may also be employed in successive wards for two more half hours. As we always endeavour to preserve uniformity in discipline in the four male pentagons, it will be proper to employ the prisoners of the first and second pentagons, in which water is raised into the cisterns of the prison, for the same time; if more water should be raised than is required for the use of the prison, it is very easy to let it off, and the cisterns will more easily be kept clean by so doing; in addition to this exercise at the mills, it will be necessary that each gang of prisoners should walk for ten

G. P. Holford,
Esq.

(June 3.)

minutes or a quarter of an hour, to cool themselves before they return to their cells; the second class working only twice at the mills, would probably, under this arrangement, have a longer walk in their court yards; I mention this arrangement, not as actually determined upon, but as capable of being carried into effect, with the mills and machinery now ordered; and as an arrangement which will probably take effect, unless the committee shall see some means of making a more convenient one.

Speaking of the committee, you mean the committee of the Penitentiary?—Yes.

[The witness delivered in the following papers:]

“At a meeting of the superintending committee, held the 26th April 1823.

“A report, by George Holford, esq. visitor, read, in which he suggests the expediency of erecting two additional corn mills in the prison, one in No. 5 pentagon, and another in No. 6, and of adding such iron-work to the two water machines in pentagons Nos. 1 and 2, as may allow of the employment of sixteen more prisoners, than now work at a time, in turning those machines; he further suggests, that in the two pentagons occupied by female prisoners, the court yards should be fresh gravelled, and one or two iron rollers placed in each yard for the purpose of being used; under the direction of the medical gentlemen, by such of the female prisoners as would in their judgment, be benefited by more exercise in the open air than is afforded by the general regulations.

“Resolved, That these measures be approved, and referred to Mr. Holford to carry into effect.”

“Report by the visitor, George Holford, Esq.

“26th April 1823.

“I beg leave to submit for the consideration of the committee, the expediency of erecting two additional corn mills in the prison (one in No. 5 pentagon and another in No. 6) under the same arcades which now cover the mills already erected, and of adding such iron-work to the water machines in pentagons Nos. 1 and 2, as may allow of the employment of sixteen more prisoners than now work at a time in turning those machines. It will be necessary for the small building which contains the machine for dressing flour to be removed from No. 5 pentagon; to make room for a second mill there; but a building may be provided for that machine, either in the baker's yard, or in the court yard adjoining, as may be found most convenient.

“The measures above stated are suggested partly for the purpose of providing the means of grinding the whole of the meal wanted for the consumption of the prison, and partly with a view to arrangements for affording more exercise in the open air to the male prisoners, and of employing those of the second class for a part of the day at the mills and water machines.

“I have communicated with Mr. Rennie, the engineer who put up the present mills and water machines, and have satisfied myself of the practicability of what is here proposed.

“In the two pentagons occupied by female prisoners, I submit that the court yards should be fresh gravelled, and that one or two iron rollers, should be placed in each yard, for the purpose of being used under the direction of the medical gentlemen, by such of the female prisoners as would, in their judgment, be benefitted by more exercise in the open air than is afforded by the general regulations of the prison.

“All these suggestions have been mentioned to the medical gentlemen, and have received their approbation.”

Does the resolution provide additional exercise for the female prisoners?—It does for some of them; the committee do not think at present that it is desirable to provide laborious exercise out of doors for the female prisoners generally; the habits of a very great proportion, probably of the majority, of females confined there not being those of hard work out of doors, and the committee have thought therefore that it would be better, as a general rule, that the women should take exercise by walking in the court yards, but that means should be provided of employing those for a longer time out of doors who may seem particularly to require such employment; they have therefore passed the resolution for gravelling the court yards (which are twelve in number) and for placing an iron roller or two (or, if required, three) in each yard, so that all such women may be set to roll the gravel in the yards, under a special order of the matron (made with reference to each prisoner) as from their former habits or the state of their health may appear to the medical gentlemen to be likely to receive benefit from exercise of that description.

What

G. P. Holford,
Esq.

(June 3.)

What number of women are in the laundry and washhouse, and what proportion do they bear to the number of women altogether?—There are two wards containing laundries and washhouses, called the laundry wards; and I should think that about twenty-five women are employed in the laundries and washhouses in each. There are more prisoners than twenty-five in each of the laundry wards, but as two of the cells in each of those wards are cells for mending clothes, I should doubt whether more than twenty-five women are employed in the laundries and washhouses in each laundry ward.

Do you think that the laundry is well adapted for the purpose for which it was constructed?—I think the laundry wards are the worst contrived parts of the building, and as I was concerned in that building, as supervisor, I am glad to take this opportunity of stating, that I directed Mr. Smirke, at the time the laundry ward was planned, to consult the then matron as to the quantity of accommodation she would require; I believe she was not able to calculate very accurately the number of prisoners that would be employed when the prison should be full, and she gave Mr. Smirke reason to think that less accommodation would be sufficient than appears to be the fact; I am not however without hopes that the laundry wards might be very materially improved, and that, by adding a small cell in each ward to the washhouses, the steam which is one very great objection, may be carried off from the wards, but as I have not yet had an opportunity of seeing Mr. Smirke upon the subject, I speak upon it with some doubt.

What number of women are in the kitchen?—I think from ten to twelve; the number is not always the same.

What are the hours of work in the laundry?—The hours of work in the laundries and wash-houses do not differ from those in the rest of the prison.

Is the whole week occupied in getting up the linen of the prison?—The prisoners in the laundry wards are employed, during the whole week, in the laundries, or in washing or mending; they wash for the female officers belonging to the prison, for which those officers are charged half price by the committee; but they do not wash for any of the male officers of the prison.

Was there any greater degree of sickness among the women in the laundry than in the rest of the prison this last winter?—I do not believe that the existing sickness has prevailed in a greater extent in that part of the prison than in any other; but colds must have been more frequent among the prisoners employed there in consequence of the nature of their occupation.

Have you lists of the different committees of the Penitentiary, since the commencement, with the dates of their respective appointments?—I have brought with me lists of the committee of the Penitentiary from the first appointment. As the manner in which the Penitentiary is managed does not appear to be very well understood; and as it has been urged, as a ground for suspecting something wrong in the committee, that changes have taken place in it; that seven members were left out of our committee when it was last appointed, and seven strangers introduced into it, I should wish to make a few observations upon the nature and constitution of the committee, by which the Penitentiary is managed. By the 19 Geo. 3. c. 74, (an Act drawn with the assistance of Sir William Blackstone and Mr. Howard,) in which are to be found the general principles of the Acts by which the Penitentiary is now regulated, the managing committee were to consist “of three gentlemen, or other creditable and substantial persons, who were to be entitled to such allowance per diem for their trouble and expense, in every day’s actual attendance on the duties of their office, as the justices of the peace in sessions, with certain approbation there mentioned, should from time to time order and direct.” In the Report of the Committee of the House of Commons, which sat upon the subject of Penitentiary houses in 1811, of which Committee I had the honour to be chairman, it was recommended that the present Penitentiary, then about to be erected, should be managed by a committee of a limited number of members, acting without pay, upon the model of those committees which conduct the affairs of most of the great public charities in London and Middlesex; and it was also recommended, that the committee should be annually appointed. Gentlemen who are conversant with the management of the great public charities in this neighbourhood know, that in all the committees by which they are managed, there is some principle of annual renewal. I allude to such charities as ‘The Philanthropic Society,’ ‘The Refuge for the Destitute,’ ‘The Magdalen,’ the ‘School for the Indigent Blind,’ and many others that might be mentioned. In one of them, a certain number of members retire annually by rotation; in another, the names of a certain number of those who

G. P. Holford,
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have attended least in the preceeding year are omitted; and in some, a certain number are left out at the discretion of the annual general meetings of subscribers, by whom they are nominated: it was intended, therefore, always, that the committee of the Penitentiary should be a fluctuating body. It is accordingly directed, by the 52 Geo. 3. and the 56th, two Acts relating to the management of the Penitentiary at Milbank, that the members of the committee should serve "for one year, or until a fresh nomination or appointment should take place." The first appointment of the committee for the Penitentiary at Milbank is dated on the 12th of February 1816. On the 23d of August, two names were added in lieu of two of the original members; Lord Colchester, who was at the head of the first committee, when he went into the country for the summer, declared that he could not, for another winter, give the attendance which he had given since he had become a member of the committee: in fact, he stated in private more than once, that he had employed in the concerns of the Penitentiary a larger portion of the time, that was not occupied by his parliamentary duties, than was consistent with a due regard to his health; for it must be remembered, that men in public life, as well as prisoners, have need of air and exercise. The other gentleman left out was an individual who, I believe, had never accepted his appointment, and certainly never came within the walls of the Penitentiary. This committee lasted till the 9th of June 1821; the changes then made were ten. Two of the former members were dead; and on looking into the names of the remainder of those who were omitted, it will be quite obvious, that many of them had other important and laborious duties to perform, and were not likely to be able to bestow much time upon the Penitentiary. The next committee was appointed on the 3d of April 1823, and in that there certainly were seven new names; two of the gentlemen left out had retired into the country. I stated, in my evidence the other day, the reasons that operated in the omission of several of those members; and there are only two persons for whose retirement I could not give satisfactory reasons, from the time of the appointment of the original committee till that of the 3d of April 1823. Mr. Morton Pitt has since resigned; and, from a letter that has been printed with his signature, there can be no doubt of his having resigned under the notion that the committee were wrong in the removal of the late medical superintendent. But as I feel the weight which the name of an individual so highly and deservedly respected by the public, and so conversant with the management of prisons, may be expected to carry with it in a question of this kind, I think it is fair, on behalf of the committee, to declare, that Mr. Pitt's opinion upon this occasion is not a judgment pronounced upon full knowledge of the proceedings of the committee, (he not having attended the committee for many months); but that it is an opinion, founded rather upon his general confidence in the gentleman removed, than on any other ground.

Were any of the proceedings of the committee communicated to Mr. Pitt?—Certainly not, to my knowledge.

Not officially?—Certainly not.

Are the meetings of the committee of the Penitentiary, in general well attended?—With a view to answering that question, I have directed a search to be made by the secretary, of the attendances during the last year, 1822; and I have done this in consequence of a passage in a letter written by the late medical superintendent to the committee, in which it is stated, that his intention in writing is for "the benefit" of such of the present committee as he (the writer) is "well aware have little knowledge, far less any participation in the measures adopted," and it further states, that "the real management has at all times been in the hands of two of the members." It appears that during the first half year of 1822, from the 1st of January to the 30th of June, twenty-six meetings of the committee were held, which were attended on an average by rather more than six members, three only being necessary to form a committee; during the second half of the year, from the 1st of July to the 31st of December, (a period of the year at which it is not so easy to form committees) fourteen meetings of the committee were held, with the attendance of rather more than four members on an average; it also appears that on one day, which ought to have been a day of meeting in the first half of the year, and on five days, at which the committee were summoned to meet in the latter half, a sufficient number of the members did not attend to form the committee; by the rules and regulations of the Penitentiary we profess to meet once a month, and probably when the system is completely established and the prison shall go on in its ordinary train, twelve or thirteen meetings in the course of the year may be sufficient; during the few months in which Lord Colechester belonged to the committee, he

he regularly attended, and was always in the chair; from that time till June 1821, when Sir Archibald Macdonald intimated to the committee, that from age and infirmity it would not be convenient for him to attend in future, he generally attended and took the chair; since that time different members have presided; very frequently, my honourable friend near me, Mr. Wilbraham. As I conceive that I am one of the persons who are alluded to in this statement, that "the real management has at all times been in the hands of two of the members," I think it right to say, that though, having devoted the whole of my time while in London for some years to this establishment, I may have drafted more of the rules, and offered more suggestions, than some other gentlemen on the committee, yet all propositions (by whomsoever brought forward) have been gravely considered; the committee meets at one o'clock generally, and it seldom separates before four or five o'clock, and it separates then rather because gentlemen are obliged to go away, than because we should not find enough to occupy us, if we could conveniently stay longer; on all occasions of importance we are able to call together a large proportion of our members; at the meeting, at which the late dietary was established, there were present nine members, and when we found ourselves under the necessity of removing Doctor Hutchison, ten members concurred in the unanimous resolution passed for that purpose: I have omitted to mention in the earlier part of this statement, that of the nineteen members of whom the committee may be considered as composed, during the year 1822, (Sir Archibald Macdonald having ceased to give his attendance, as I have already mentioned, from June 1821) it appears that seventeen have attended at some time or other during the year.

How many committees sat, between July and February last?—Fourteen sat, between July and the end of the year.

The Committee understand that fourteen committees sat between July and January?—Yes.

The rule of the Penitentiary being that six only should have sat in that period?—Yes; six meetings only were required by the printed regulations; fourteen actually sat, and five did not sit, owing to the want of a sufficient number of members.

When the committee came to the resolution of dispensing with the services of the medical superintendent, was a meeting regularly convened to take that subject into consideration?—Yes; he was removed at a meeting regularly convened; the committee having every wish to avoid any thing that might be offensive to the feelings of Doctor Hutchison, directed the secretary to withhold the notices till he had an opportunity of conferring with Doctor Hutchison, and of learning whether it would be more agreeable to him to prevent the formal act of summoning of the committee for his removal by resignation, which has been done in several instances by officers whom the committee have had a wish to remove, but Doctor Hutchison rather preferred having the proceeding taken regularly, (and as he states in one of his letters) "upon the responsibility of the committee," the notices were therefore issued regularly for the meeting at which he was removed.

Have you lists of the superior officers appointed since the commencement of the establishment?—I have a list of all the superior officers appointed since the commencement of the establishment, and as I have been supposed to take a larger share than others in the management of this concern, I think it due to myself to declare, that there is not, nor ever has been, in the service of the Penitentiary, from the opening of the prison, any officer (with the exception of the present governor) superior or inferior, male or female, of whom I have had any knowledge before that officer became a candidate for the situation at the Penitentiary; the present governor, with whom I had been acquainted for many years, certainly intimated to me in the first instance his willingness to accept the office, and I believe had learnt the probability of a vacancy from me; I referred him to another member of the committee, whom I desired to communicate with him, to form his own judgment of his qualifications, and to make such inquiries as might be necessary before he was proposed to the committee; and though I am sanguine in my expectations, that the establishment will derive great benefit from his being placed in the situation of governor, I do not consider that appointment as resting in any degree upon any recommendation of mine.

What reasons induced the committee to change last year the system of dietary?—The dietary of the Penitentiary was originally founded very much upon that in use at the Penitentiary at Gloucester, the only existing Penitentiary besides that at Milbank. Sir George Paul's opinion, as expressed before the committee of this House in 1811, was, that, if men laboured, and had nothing better to drink than

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water, they should have a generous diet; since that time, however, public opinion had undergone a great change upon that subject. Before the commencement of 1822, at Devizes, meat had been totally excluded from the dietary; the same exclusion of meat took place at Stafford; and, I believe, at many other prisons; even the Penitentiary at Gloucester, upon the model of which we had formed our dietary, departed from the dietary we had copied, and excluding solid meat altogether from its table of diet; gave soup only, in which less meat was used than in the dietary we adopted on the fourth of July last year. When I state, that public opinion had changed, I mean the opinion of respectable and experienced magistrates. We had an opportunity of becoming acquainted with this change in the committee of this House, which sat upon the bill relative to prisons for two successive years; gentlemen who attended that committee, must recollect the taunts and sarcasms which were thrown out upon those who managed the Penitentiary for their dietary. I do not mean, that anything offensive or ill humoured was ever said there; but the luxury of the Penitentiary was a standing joke. The prison was called, "My fattening house." I was told that public economy might be safely consulted by parting with many of our officers, as it was unnecessary to keep up an establishment to prevent escape, though it might perhaps be proper to apply for a guard to prevent persons from rushing in. An honourable friend of mine, one of the members for Essex, in a very able pamphlet, containing a great deal of good sense and wisdom on the subject of prisons, made a direct attack last year upon the Penitentiary; he stated, that the diet of convict prisoners ought to be furnished solely by the mill and bakehouse, unless in cases of sickness; and he termed the dietary in use at Milbank, "an insult to honest industry," and "a violation of common sense;" but I will state fairly, that, as far as I am concerned, I was not entirely guided by these opinions of others; I was quite satisfied, from what I heard and saw, that the dietary was too abundant. It was reported to us, by our medical attendants, that the prisoners were plethoric, and that their diseases were such as naturally arose from too much fullness. I also observed myself, that they were nicer, in regard to their food, than they ought to have been; and it is mentioned in Dr. Hutchison's evidence, that potatoes, in particular, were carried out of the prison in the wash tub. I certainly saw myself, and pointed out to Doctor Hutchison, potatoes among the wash, which I should have been ashamed to see carried out in that manner from my own house. I was also told by members of the House of Commons, that, if we did not change our dietary, observations would be made upon us, when the annual vote for the expenses of our establishment came to be discussed in Parliament, and that the vote would probably be opposed. In the Report presented to the Houses of Parliament at the commencement of the last session, we thought it prudent to mention that the dietary was under consideration, and that some change would probably take place in it; and we defended ourselves for not having reduced it sooner, by adverting to the very great difficulty and delicacy of the subject.

In what manner did the committee proceed upon the occasion of the change of the dietary?—We called, in the first instance, after a good deal of private conversation upon the subject, for a report from Dr. Hutchison; I believe Mr. Pratt, the resident surgeon, gave in also the scheme of a dietary, I rather believe he was not called upon to do so, for we certainly did not consider Mr. Pratt, from his rank in the profession, or from his general knowledge and abilities, as a person upon whose opinion the committee would place much reliance on a subject of this kind, although it certainly turns out that Mr. Pratt has been all through this business in the right; in the letter which Dr. Hutchison addressed to us on the 22d of March 1822, he proposes meat for one day in the week and soup for the remaining six; he asserts, in the letter to which I have alluded of May the 2d, that he had expressed a wish for a consultation, and that this request was denied, and rests the proof of this assertion upon his letter of the 22d March; I apprehend, however, that this is not a correct statement; in the letter of the 22d March, observing that the question of dietary is one very difficult of accurate solution, he suggests to the committee, "to take the opinions of other persons in the profession who may have distinguished themselves in science, such as Dr. Wollaston, Sir Gilbert Blane, Dr. Baillie, Sir Everard Home, or Mr. Cline;" and he also recommends that "the gentlemen fixed upon be requested, in the first place, to inspect the existing state of the health of the whole of the convicts." In this suggestion and recommendation, as far as the inquiry was concerned, the committee acquiesced, but they did not think themselves bound to limit themselves in their choice of the persons for

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for whose opinion they should apply, to the individuals pointed out by Dr. Hutchison ; Mr. Bathurst, who was in the chair when that letter was considered, thought that the committee ought to make their application to some person clothed with a public official situation, and the committee therefore applied, as appears in the printed papers, through the war office, to Sir James M'Grigor, as the head of the army medical board, for his advice upon this important subject. Sir James M'Grigor visited the prison (I do not know whether once or twice) and took a great deal of pains to inquire into all those points relative to the discipline of the prison and the treatment of the prisoners, which are connected with the subject of the dietary ; he proposed a diminution in the bread, leaving the quantity of meat as it stood in the former dietary, but suggesting, that for the sake of avoiding the use of knives and forks, which had been objected to, it might be comminuted or cut into very small portions. The committee felt that they had not sufficiently explained, in their letter to Sir James M'Grigor, the grounds of their desire to get rid of the meat, which though founded in part on the expediency of avoiding the use of knives and forks, proceeded, in a much greater degree, from their wish to obviate objections to their dietary on the part of the public, and to comply with what appeared to be the prevailing opinion, in regard to the exclusion of solid meat from the prison, provided this could be done consistently with the preservation of the health of the prisoners. To avoid the trouble and delay of a correspondence upon this subject, I undertook to call upon Sir James M'Grigor, I showed him the dietary which had been proposed for consideration, and I understood from him, that, in his judgment, it was unobjectionable ; he distinctly stated, that it appeared to him to contain a sufficient quantity of sustenance, and that he thought it might be adopted without danger of injury to the prisoners health ; I stated this to the committee on the 24th of May 1822, when Mr. Morton Pitt, who had taken the trouble to frame the table of diet, and had made diligent inquiry for that purpose in the kitchens, concerning the number of ox-heads which it would be proper to put into the soup, brought the dietary forward. I certainly understood at that time, that Mr. Morton Pitt had communicated with Dr. Hutchison upon this subject, and that he answered to the committee for Dr. Hutchison's consent to the adoption of this dietary. It is always unpleasant to come to a conflict of recollections ; but I cannot now divest my mind of the belief, that Mr. Morton Pitt made a statement to that effect. In the correspondence which has taken place between Mr. Morton Pitt and the committee of the Penitentiary, printed by the direction of this Committee, he admits the share which he himself took in recommending the dietary and his own strong wishes for its adoption ; he says, however, that Dr. Hutchison never was persuaded by him to abandon his objections, to the exclusion of solid meat, and Dr. Hutchison says, that he believes his conversations with Mr. Morton Pitt were before the writing of his letter on the 22d of March ; Dr. Hutchison, however, does not speak positively on the subject, and Mr. Morton Pitt's memory of the whole transaction appears, by his letter of the 9th of May to the Penitentiary committee, to be extremely imperfect : if Dr. Hutchinson was not consulted after the letter of March 1822, before the dietary, which was certainly not in conformity with the opinion expressed in that letter, was adopted, he certainly was treated with a degree of disrespect which ought not to have been shown to him, and I cannot think it likely that he should have sustained this wrong from Mr. Morton Pitt, who originally introduced him into the service of the Penitentiary, who has always been his particular personal friend, and who has now taken his part against the committee. The dietary decided upon on the 24th May 1822, was transmitted to the judges on the 31st May, it was signed by them on the 17th June, and was, after the necessary arrangements in the prison were made for its introduction, put in practice on the 4th of July ; the arrangement to which I more particularly allude, was the substitution for the knives which were to be removed from the kitchens, certain instruments for cutting bread, which were fixed to the tables, and which could not therefore be converted into weapons of offence.

What steps were taken by the committee in consequence of the sickness which prevailed last winter ?—I left town towards the end of September for the summer, and I think the last time that I was within the walls of the Penitentiary, in the course of that month, was on the 20th ; for the transactions between that date and the meeting of the committee of the Penitentiary on the 25th of January, on which day I was again present, this Committee should examine other members of the Penitentiary committee, particularly Mr. Courtenay and Mr. Archdeacon Pott ; it appears, however, that on the 11th of January, the subject of the dietary came in some degree

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under the consideration of the committee, for there was passed on that day a resolution for substituting water gruel for soup in the evening, in the part of the prison occupied by the females. I have stated, I believe, in my former evidence, that I received accounts soon after Christmas from the matron and from the chaplain, which led me to suppose that the dietary might be injuring the health of the prisoners; I should also add, in fairness to Mr. Pratt, that I received a letter to the same effect from him, which I now deliver in to the Committee.

[*The same was read, as follows :*]

“ Sir,

General Penitentiary, January 7, 1823.

“ I should not have taken the liberty of troubling you, as I am aware you will shortly be in town, but we have a very great increase of invalids, insomuch so, that we have not room in the female infirmary for them; there are 67 this day there, with the wardswomen and children, and their complaints are of that nature that I fear we have little hopes of removing any for some days, and I fear there will be an increase; the males are healthy; the cause of the complaint I cannot exactly account for, they are affections of the lungs, &c. in part arising from the late severe weather, and I fear they have been in some measure brought on from the change in the diet; to me it appears that their diet has rendered them weak, and brought on a predisposition to complaint, which would arise from the intense coldness of the season; I beg leave to suggest whether we could not have a part of the male infirmary converted to the use of the females, as we could put the males into the long room.

“ I am, Sir, your most obliged servant,

“ Addressed to

“ J. Pratt.”

“ G. Holford, Esq. M. P. &c. &c.”

In consequence of the other information which I had, I wrote, before the receipt of that letter, to Dr. Hutchison, to make inquiries concerning the state of the prison, and I received from him a part of the report which he was then preparing for the Penitentiary committee, dated on the 8th; Doctor Hutchison reasons upon that report in his letter of the 2d of May last, as if it contained “portentous words,” as he calls them, and some prophecy of evil; I confess its effect upon my mind was completely to allay the apprehensions which I had before entertained, and I state distinctly, that it prevented me from being in haste to reach London. On the 8th of February, Mr. Pratt, in his regular report of the state of the prison, communicated to the committee the existence of scurvy in a few cases, and at that meeting of the committee (at which I was present) it was determined that an application should be made to Sir James M^cGrigor to visit the prison again, on the ground of the dietary’s having now been seven or eight months in operation, and of the prisoners being supposed to be sickly. Dr. Hutchison has stated that he informed the committee of the existence of scurvy, on the 8th of February; I consider this statement, however, as being inaccurate; the letter from Dr. Hutchison, of Saturday the 8th of February, is dated on Saturday evening, which must have been after the committee had broken up, and is addressed, not to the committee, but “to the visitor for the time being at the General Penitentiary, or, to George Holford, esq.” this letter could not reach the committee therefore regularly till the Saturday following, viz. the 15th, and no step could have been taken by the committee upon it till that time; in fact it never reached the committee at all, for on the 14th, a letter containing a fuller account and more apprehensions with regard to the scurvy, was written by Doctor Hutchison, to Mr. Courtenay, who therefore considered the letter of the 8th as having been superseded by that of the 14th. I have already mentioned, in my former evidence, that I went round with Sir James M^cGrigor, as one of the members of the committee, on the 14th of February, I communicated his favourable opinion of the state of the prison to the committee on the 15th of February, and I then informed them that they might expect a written report from him in a few days; he wrote that report, containing the result of his visit on the 17th, and it was laid before the committee at their next meeting, on the 22d; by that time, however, the state of the infirmaries was materially altered, many more prisoners had been sent up sick, and one or two deaths had occurred; it was determined on that day to summon a special committee, for the express purpose of considering the state of the sickness of the prison, to meet upon the Friday following, viz. on the 28th. A good deal of conversation took place in the mean time, between different members of the committee, in regard to the propriety of calling in additional medical assistance; and inquiries were made as to the persons to whom it would be proper to apply, when a resolution for that purpose should be passed, it being necessary that they should be

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be persons of eminence and talent; and at the same time, that they should be in a situation to devote a considerable portion of their time to this very serious investigation. In the period that elapsed between the 22d and 28th, a coroner's inquest was held upon the bodies of two male prisoners; and the jury remarked in their verdict, that so many prisoners would not die in the Penitentiary if more meat were allowed, or something to that effect; and they also wrote a letter to the committee upon that subject. I mention these circumstances for the purpose of stating, that, previously to the receipt of any information upon this subject by the committee, a day for taking the dietary, and the state of the prison into consideration, had been fixed, and inquiries had been made with a view to ascertain the persons whom it might be proper to call in, to show that the committee were not slumbering on their posts till they were awakened by the verdict of the jury, but that the state of the prison was the subject of their anxious consideration before the remarks of the coroner's jury were made. One of the gentlemen, to whom it was resolved to apply on the 28th of February, viz. Doctor Maton, having declined to undertake the task which the committee wished to impose upon him, Doctor Roget was substituted in his place, at the ordinary meeting of the committee, held on the next day, viz. on the first of March, and the two physicians, commenced their examination of the prisoners in the infirmaries on that day. The committee of the Penitentiary certainly heard with much surprize, after they had only been told by Doctor Hutchison in the course of the month of February of the existence of a few cases of scurvy within their walls, that 400 cases of that kind were discovered in the investigation which took place in the beginning of March; but they did not complain of Doctor Hutchison for having left them so entirely in the dark respecting the state of the prison previous to the appointment of the two physicians; on the contrary, Doctor Hutchison complained of the appointment by the committee, of the two physicians to act with him in the prison; and represented this proceeding as unnecessary, and as a great indignity to him. In a postscript to the letter which he wrote upon that subject to the committee, he stated that he should send a copy of his letter to the secretary of state. The committee thereupon considered, that an appeal from one of their officers against their acts to any other authority, made it impossible for them to retain such officer in their service; and they also felt that there had been a want of co-operation between Doctor Hutchison and some of the other officers in the establishment, which must have led to his being less informed than he would otherwise have been of the real state of the prison. Doctor Hutchison seems to have supposed that his differing in opinion from the committee in regard to the dietary that should be adopted, was among the causes which led to his removal; I disclaim any such cause on my own behalf, and to the best of my knowledge and belief, I deny that any such cause operated against Doctor Hutchison on the minds of the other members of the committee. As the committee of the Penitentiary have been assailed, and as I myself personally have been assailed in newspapers and printed publications upon the subject of the late dietary, I have gone more at length than I should otherwise have done into these statements; for I think that this Committee will feel, that those who manage the Penitentiary ought not, if it can be avoided, to be driven to defend themselves through such channels as those to which I have alluded. I will only add, in my own behalf and that of the gentlemen with whom I am acting, that, deploring in common with the public, the severe visitation which the Penitentiary has experienced, we do not feel a particle of self-reproach; we did not adopt the dietary rashly; we have not continued it obstinately, or negligently; we hesitated long before we entered the paths, into which we were called or driven by the voice of the public; we sought for the best guides; and we have shown no unwillingness to retrace our steps, as soon as we had the slightest reason to suspect that we might be in error.

The Committee understand you then to state, that your attention having been drawn by Mr. Pratt and the matron, and by other communications from the Penitentiary, to the state of the health then existing in the Penitentiary, and to the probability that the sickness arose from the new dietary, that your mind was set at ease upon that subject by the official report of Sir James M^cGrigor, which was dated the 17th of February 1823, which contains these words: "that having seen the whole of the female, and many of the male prisoners, he found them not in an unhealthy state, and from the minute inspection of the prisoners in the infirmaries, he ascertained, that while the proportion of sick was small for the season, their diseases were not, but in a very few instances, of a serious character, and not attributable to diet or confinement"—My mind was set at ease on the 14th, by the

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conversation I had with Sir James M^cGrigor, when we went round the prison, which was very much to the effect of what he afterwards wrote, and I relieved the committee from apprehension by my report to them of that conversation on the next day, the 15th. On the 22d, our minds would have been completely tranquillized by Sir James M^cGrigor's written report, dated the 17th, and containing the result of the former visit, if there had not at that time existed fresh causes of apprehension and alarm, which had occurred since Sir James M^cGrigor's visit; I may also add, that more information reached me from day to day of what had passed before I reached London, which led me to doubt very much whether the diseases in the prison were not more serious and more general than had been suspected; I allude particularly to the circumstance of my having been informed by the person who instructed the prisoners in the art of weaving, that some of the hands employed in making sail cloth and the coarser kinds of canvas, which is very laborious work, had appeared to him to have failed very much in their strength; and of my having learned from the matron and some of the other female officers, that the female prisoners had for months before been unable to eat their soup, particularly in the evening, and that warm water had been allowed to them in one ward from November last, by the directions of the medical officers, because they were unable to eat the soup in the evening, which fact has now appeared in the matron's evidence, but was never communicated as it should have been, by her, to the committee, or noticed in any report by the surgeon or the medical superintendent.

You have stated in your evidence, that the voice of the public appeared to be against the established dietary, which you state yourselves very properly to have endeavoured to remedy, as you felt it right and proper so to do; do you mean the voice of the public as it regarded that diet, was on the principle of economy?—I believe not; the charge the public made against the prison was, that honest labourers out of doors had not so good food as the prisoners found within the walls of the prison; I never admitted the quantity of food which an honest and industrious person might subsist on out of the prison, to be any criterion of what should be given to the prisoners, but the opinion of the public was very much swayed by that consideration; I certainly did admit, that the experience and practice of other prisons afforded an argument for changing our dietary, but I am now satisfied that in admitting the force of that argument I did wrong.

In a letter that Dr. Hutchison addressed to the committee of the Penitentiary, dated April 8, 1823, it is stated, that he understands that the two medical gentlemen who had been appointed to perform the medical duties, were required to attend and report independently of him; was that the case?—I know of no such direction; Dr. Hutchison has also surmised that some instructions were given to those gentlemen to leave him out of their consultations, or in some degree consider him as being of less importance than he ought to be in the prison; I can only say, that there was not the slightest intention of disrespect to him in the proceedings of the committee; the appointment of the two additional physicians was communicated to him in a civil and even friendly note from the committee; I am now, as I always have been, much surprised that he should have considered that appointment in any other light than as a relief to his own mind, and as a measure which the committee were called upon imperatively to adopt, as well for the satisfaction of the public as for the sake of having the benefit of the best assistance they could obtain for the prisoners.

Was it done on the part of the committee in any other manner than a person who in a private family wishes to call in the assistance of another physician, to a person who is not getting well under the then advice?—I apprehend we took no other course on that occasion than I should have pursued under similar circumstances in my own family; Dr. Hutchison has stated himself to have been told by Mr. Pratt, that his orders would not be complied with; that circumstance occurred long after the physicians were called in, I believe after they had made their report; during the first visits of the two physicians, they all went round together, Dr. Hutchison and Mr. Pratt, Dr. Roget and Dr. Latham went round together, and sometimes Mr. White was with them. In the male prison I very frequently accompanied them; I am not aware why they ceased to visit altogether, partly, perhaps, from the inconvenience of meeting at the same time, and perhaps from some difference of opinion; I understood certainly, from the physicians, that Dr. Hutchison did not agree with them in the degree of weight which they gave in estimating the causes of the disease to the dietary, and that he would not allow it to be a main cause of the disease.

Did Dr. Hutchison remonstrate against the appointment of those two physicians?—I am not aware that he ever expressed any dissatisfaction at the appointment

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ment till we received his letter of the 8th of April. I certainly did find at an earlier period, in conversation with Mr. Morton Pitt, that he (Mr. Pitt) very much disapproved of it, and thought that, in calling in younger physicians, we had offered a mark of disrespect to Dr. Hutchison. My answer was, that it would not have been very easy to find physicians senior to Dr. Hutchison, who had not such practice, or such other avocations, as would make it impossible for them to devote so much of their time and attention to the investigation of this sickness as would be required.

Was there, in the appointment of those two physicians, any thing done on the part of the committee that could be considered as superseding the attendance of Dr. Hutchison?—I do not apprehend that his attendance was at all superseded, or intended to be so, by their appointment. I believe the words of our resolution stated, that they should be associated with him. Not only were no instructions given, nor any hints thrown out to induce them to slight him; but I desire to say affirmatively, that there was the greatest desire, on the part of the committee, that Dr. Hutchison should be treated with that degree of attention which his standing in the profession, and the relation in which he stood towards the committee, demanded.

You have stated that Mr. Pratt did communicate, to your belief, at one period to Dr. Hutchison, that his prescriptions would not be followed; do you know at what period that communication was made?—I believe it was very late in these proceedings; and it arose in this manner. A difference of opinion had prevailed, as to the use of lemon-juice, between Dr. Hutchison and the gentlemen who were called in. I cannot fix the precise date of this occurrence; but it was after the physicians had been for a considerable time in attendance, (I believe some time in April,) that Mr. Pratt told me that Dr. Hutchison asked him this question, "If I order lemon-juice, will you give it?" I do not recollect what Mr. Pratt stated himself to have said in answer; but I know that he consulted me how he should act. My answer was, that this was rather an embarrassing question to put to me; that of course I had hoped and believed, that those gentlemen would act together; but that, if Dr. Hutchison alone ordered any thing contrary to what the other gentlemen approved and were giving, I thought it should not be administered till the committee could be consulted upon the subject. I believe I had been told, that Dr. Hutchison had addressed some formal letters to those gentlemen, recommending the use of lemon-juice.

Do you not think, if a communication was made to the superintending physician by another medical officer in the establishment, that his orders would not be complied with, that it must be considered by him as superseding him in the execution of his duty?—I certainly do think so; and I conceive the effect of that ought to be to make him distinctly apply to the committee, or resign. I had not the latter part of the alternative in my contemplation when I gave that answer to Mr. Pratt; I expected that, if Dr. Hutchison persisted in wishing to adopt a different treatment from that which the other two physicians were pursuing, he would have applied to the committee, which he would have had an opportunity of doing in a day or two afterwards. I felt myself in a very awkward situation with respect to Dr. Hutchison; at the same time, I could not tell the surgeon that he must obey two masters, and must give the lemon-juice that Dr. Hutchison prescribed, when the other physicians might be adopting a different course of treatment. Any conversation of this kind I had with Mr. Pratt was as a private member of the committee; I gave no order upon the subject, but only advised him for the best.

In the letter which has been before the public, and addressed by Mr. Morton Pitt to Dr. Hutchison, the Committee find these words: "The fundamental error seems to have been, that, with the exception of the present newly-appointed governor, those who have been appointed to that office have never been invested with the powers due to their situation, and necessary to maintain order and subordination. Too much detail has been undertaken by the committee and visitors; and, in point of fact, they have been considered as the governing, instead of the superintending power." Can you give any explanation to these topics in this letter?—I certainly know of no powers given to the present governor that were not given to his predecessors; of course, an active man will do more, with the same powers, than one who has less activity. It was always the direction of the committee, that every person who applied for the situation of an inferior officer in the Penitentiary, should be seen and approved of by the governor, in the first instance. If the governor exercises his discretion properly upon such occasions, and will take

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the trouble of making inquiries respecting the candidates, he will save the committee a great deal of trouble, by sending before them only such as are likely to meet with their approbation. The late governor sent a candidate to the committee very much as a matter of course. Many other instances might be stated, in which an active and intelligent governor will do more, and save more trouble and time to the committee, than a governor of a different description; but I know of no difference in the powers given to the present gentleman and those possessed by his predecessor. It has been ever Mr. Pitt's opinion, that we should have a person of the rank of a gentleman in the situation; and I have always concurred with him in that opinion, though he has more than once seemed to think, that my sentiments were different from his upon this point. When the present gentleman was thought of, I introduced him to Mr. Pitt; and Mr. Pitt appeared to be extremely pleased with the selection we had made, thinking an officer in the army, who had been a captain and paymaster in one of the best regiments in the service, was likely to be a great acquisition to us. Mr. Pitt parted from Captain Chapman, expressing a hope that, when he came to town again, he should find him in possession of his office. I can only account for Mr. Pitt's resignation, from his having been led by Dr. Hutchison to believe that he had been ill-treated, and by his anxiety to give the testimony of his approbation to a gentleman for whom he entertained great private friendship and personal respect, which, indeed, are the reasons he has himself stated. In a new establishment, in which we had a system to create, all the rules and regulations to make, and, if I may so say, had to make our officers as well as the rules, a great deal more interference has been necessary, on the part of the committee and visitors at the outset, than would be necessary or proper when the system was thoroughly established; but I am not aware that the former governors were at all controlled by the committee in any thing in which they wished to exercise a judgment; on the contrary, I think the defect of the late governor was, that he did not put in force the powers intrusted to him; and I must say, that some of the most minute details that ever have been presented to the committee of the Penitentiary have come from the suggestions of Mr. Pitt himself.

Mr. Morton Pitt also goes on to make the following observations; "I have often lamented the jealousies and cabals among the officers, which from an early period have been too prevalent in the Penitentiary, and have led to a system of malicious tale-bearing, which I had always hoped would have been more discouraged; with all the credit I am disposed to give to the visitors for purity of intention and zeal in discharge of their duties, I must consider their not having effectually crushed such a system to have been detrimental to the discipline of the institution, and inevitably must often be injurious to deserving individuals." Have you any observation to make upon that paragraph?—As I have not been a visitor in the prison till since the 25th of March last, for a very considerable time, perhaps I might say that these observations cannot be supposed to apply much to me; but, however, as I certainly have a more thorough knowledge of the prison than any other member, and have passed a great deal more time within its walls than other members, I am perhaps the person best qualified to speak to this point; I can safely say, that I do not know to what these observations can apply; there have been very few charges or accusations brought by one officer against another in our establishment, and I believe that of the credit or discredit of dismissing those officers who have been removed, or parting with those who have ceased to belong to it by resignation, I must take the greatest share, for certainly most of the irregularities or cases of misbehaviour in our officers, which have shown persons employed at the Penitentiary to be unfit for their situations, have been brought to the knowledge of the committee by me, and it is one of the most unpleasant circumstances connected with the duties of the committee, that we never part with an officer without making enemies of that officer's friends. I ought to state, that one or two officers, of whom Mr. Morton Pitt had a very high opinion, have been removed from the Penitentiary, and I cannot help thinking, that he has formed as erroneous a judgment as to the sufficiency of the grounds on which we parted with them, as he appears to have done in the last instance, as to the dismissal of the late medical superintendent.

Are the Committee to understand, that no private member of the committee can act in any way upon his own immediate opinion, in giving orders or directions, or in any other act whatever, upon the moment, without having recourse to the general body of the committee, at any period at which they may be called upon to sit?—In order that there may be no defect of power to give orders in the intervals between the meetings of the committee, it is directed by the Act of Parliament, that one or

two of the members of the committee shall be appointed visitors, and it is in their power to give any orders or directions which the committee itself could give, if sitting, on any emergency that may occur in the intervals between the meetings of the committee; those orders must be in writing; the order when signed is pasted into a book kept for that special purpose, which is laid upon the table of the committee at every meeting. By the regulations of the prison, every private member has a right to make any inquiries which he may think fit; he has, however, no power whatever to give any orders or directions, but is to report such matters as may appear to him to require particular attention, to the visitor, or to the committee, at his discretion; the visitor himself cannot give any order or direction which authorizes a departure from the rules of the prison, except by an order in writing signed by his name.

Is that order subject then to the approbation or disapprobation of the quorum at their day of assembling?—Most undoubtedly it is; the book is laid before the committee regularly; they should confirm the visitor's order; I will not pretend to say that this form has actually been observed in every instance; the committee have approved of orders in many instances, and suffered them to stand without a regular confirmation.

You have stated in a former part of your evidence, as a matter of complaint, that the letter written by the late medical superintendent was addressed to yourself, and that it was rather a singular direction, as you were not visitor at that period of time; the Committee wish to know whether, by your being so much within the prison as you state yourself to be, you might not be considered, and were not considered, universally throughout the whole of the officers of the Penitentiary, as being the active operating person, whether you were visitor for the week or month, or whatever period of time for which that office is held by the members of the committee or not, as the person to whom, from your being so long there, and so often there, and directing so much the orders, rules, and regulations of that prison, whether you were not considered the proper person for every officer to address himself to?—Certainly I was not; I did not, however, complain of the direction of this letter to me; I stated that circumstance as a part of the history of the transaction; my complaint was, that the information contained in that letter was not given to the committee, at a time when the committee was sitting and might have acted upon it, but was written after the committee had broken up, and was directed to another person, the visitor, who was less likely to take any proceeding upon it, although if there had been any thing that called urgently for an immediate measure, the visitor could certainly have given any order that might have been necessary; my complaint was, that it was not addressed and sent to the committee at such a time as to allow of the committee's acting upon it; I have no doubt the reason for directing it to "the visitor for the time being" or to myself in the alternative, was because Doctor Hutchison naturally expected that any information which might reach me would be conveyed to the visitor for the time being without delay.

Then the Committee collect from the answer to that question, that you did not think that Dr. Hutchison was so irregular in writing that letter, and directing it as he did, inasmuch as you distinctly and fairly state, that you were, of all the persons presiding over that great department, the one from whom he might really consider redress or answer to any question he might put would immediately flow?—I beg to state that he could not conceive that any answer would come from me, all that he could reasonably expect was, that the information would be speedily communicated to the quarter which he intended it should reach; but my complaint relates in no respect to the direction of the letter, but is founded upon the period at which the letter was written; the information is delayed till the committee has separated, and is given at a time therefore when they cannot receive it, and do any thing upon it, in fact the information was thereby delayed for a week as far as the committee are concerned.

When was the letter given to the visitor?—I suppose it reached him on the Monday or perhaps on the Sunday.

Is there not a power in the visitor, for instance, upon receiving a letter of considerable importance to the good management of the establishment, to summon a committee instant?—There is such a power, but the information in this letter the committee will see, is nothing more than that a few cases of scurvy have arisen, but that the disease is getting better, there is therefore no order to be given upon it, though the information is important; the circumstances attending the writing of this letter only defer to a later time, the information that Dr. Hutchison gave to the committee.

You received a letter upon the 14th?—The committee would regularly have received

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received that letter on the 15th, had it reached them at all; the object of my observation was to show that Mr. Pratt gave the first information, and that Doctor Hutchison's letter, although dated on the same day, could not reach the committee till a week afterwards.

[*The following Papers were delivered in .*]

“ List of the First Committee of Superintendence of the General Penitentiary, appointed 12th February 1816.

The Right honourable Charles Abbot.
The Right honourable George Rose.
The Right honourable Charles Bathurst.
The Right honourable Sir Charles Long.
The Right honourable Richard Ryder.
Sir William Curtis, baronet.
Sir James Shaw, baronet.
Sir Benjamin Hobhouse, baronet.
John Fane, esquire.
William Morton Pitt, esquire.
George Peter Holford, esquire.
Edward Bootle Wilbraham, esquire.
Davis Gilbert, esquire.
George Byng, esquire.
William Mellish, esquire.
Charles Shaw Lefevre, esquire.
Charles Wetherell, esquire.
The Reverend Archdeacon Pott.
The Reverend Archdeacon Cambridge.
The Reverend John Thomas Becker.”

“ On the 23d of August thereafter, in consequence of the resignation of Lord Colchester and Mr. Wetherell, the Right honourable Sir Archibald Macdonald, bart. and Sir Charles Edmonstone, bart. were nominated in their stead.”

“ The second committee was appointed on the 9th June 1821. Of the former list there were left out,—

The Right honourable George Rose (dead.)
Sir Charles Edmonston, bart. (do.)
The Right honourable Richard Ryder.
Sir William Curtis, bart.
Sir James Shaw, bart.
Sir Benjamin Hobhouse, bart.
John Fane, esq.
George Byng, esq.
Charles Shaw Lefevre, esq.
Rev. John Thomas Becker.

“ And there were substituted for them :

The Right honourable John Becket.
The Right honourable William Henry Fremantle.
Honourable F. G. Calthorpe.
William Courtenay, esq.
Thomas Grimston Estcourt Estcourt, esq.
Giles Templeman, esq.
Charlton Byam Wollaston, esq.
Henry Revell Reynolds, esq.
Charles Bosanquet, esq.
The Rev. Thomas Rennell.

“ Shortly after this appointment, Sir Archibald Macdonald intimated his resignation, on account of growing infirmity.

“ The present committee was appointed on the third of April last, consisting of—

“ Seven members of the first committee continued :

The Right honourable Sir Charles Long.
William Morton Pitt, esq.
George Holford, esq.

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E. Bootle Wilbraham, esq.
 Davies Gilbert, esq.
 William Mellish, esq.
 Rev. Archdeacon Pott.

“ Six members of the second appointment, continued :

Honourable F. G. Calthorpe.
 William Courtenay, esq.
 Thomas Grimston Estcourt, esq.
 Henry Revell Reynolds, esq.
 Charles Bosanquet, esq.
 Rev. Thomas Rennell.

“ Seven new members :

Right honourable Lord Bexley.
 Sir Edward Hyde East, bart.
 Sir George Farrant.
 The Rev. Dr. D'Oyley.
 James Clitherow, esq.
 John Edward Dowdeswell, esq.
 Thomas Harrison, esq.

“ The seven left out upon this appointment were,—

Right honourable John Becket.
 Right honourable William Henry Fremantle.
 Giles Templeman, esq.
 Charlton Byam Wollaston, esq.
 Right Honourable Charles Bathurst.
 Rev. Archdeacon Cambridge.
 Right honourable Sir A. Macdonald.

William Morton Pitt, esq. has since resigned.

“ List of the Principal Officers of the Penitentiary, with the dates of their respective Appointments.

Governors - - -	{	John Shearman - - - -	25 March 1816.
		Henry Ryde - - - -	9 May 1817.
		John Couch - - - -	10 June 1818.
		Jordison White, the master manufacturer, was put in charge as deputy governor, owing to the illness of	29 May 1820.
		Mr. Couch - - - -	
Master Manufac- turers - - -	{	Mr. Couch resumed his duties - -	7 July 1820.
		Benjamin Chapman - - -	25 March 1823.
		Thomas Webb - - - -	5 April 1816.
Matrons - - -	{	Jordison White - - - -	13 March 1818.
		Mrs. Chambers - - - -	5 May 1816.
		Mrs. Sharpe - - - -	28 Feb. 1817.
Stewards - - -	{	Mrs. Wilkinson - - - -	1 July 1820.
		John Hatch - - - -	29 March 1816.
		Thomas Rickford - - - -	13 May 1820.

“ The Chaplain of the General Penitentiary, The Rev. Samuel Bennett, M. A.
 appointed 25th March 1816.”

(Copy.)

City and Liberty of Westminster, } “ Informations of witnesses severally taken and
 in the County of Middlesex. } acknowledged on the behalf of our Sovereign Lord
 the King, touching the death of Ann Martin, at the prison called or known by the
 name of the General Penitentiary, situate at Milbank, in the parish of Saint John
 the Evangelist, in the said liberty in the county aforesaid, on the 21st day of April
 in the fourth year of the reign of our Sovereign Lord King George the Fourth,
 before me John Henry Gell, His Majesty's Coroner for the said county and liberty,

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on an inquisition then and there taken, on view of the body of the said Ann Martin, then in the said parish in the said liberty, in the said county, lying dead, as follows, to wit:

“ *Benjamin Chapman*, Governor of the said Penitentiary, on his oath deposeth :

“ The deceased was tried at the Old Bailey, on 26th September 1819, and convicted of stealing lace, for which she was sentenced to seven years transportation, which punishment was commuted to five years confinement in this Penitentiary, where she was received on 29th October, 1819, she was then stated to be twenty-one years old, and in good health.

(signed.) “ *Benjamin Chapman*, Governor.”

“ *John Pratt*, Surgeon to the said Prison, on his oath deposeth :

“ The deceased was removed to the infirmary on 19th January, 1823, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased and she became paralysed; her stools and urine passed involuntarily; large ulcerations took place upon both hips; and erysipelas inflammation took place on the right thigh, which mortified and caused her death: her sister, who is a prisoner, has informed me, that the deceased for about two years, and prior to her being in this prison, had lost the use of her legs; she was distorted in her spine, which must have brought on the disease of which she died; she was attended by Doctors Hutchison, Roget, and Latham, (as well as by myself,) and by Surgeon White: she died yesterday morning.

(signed.) “ *J. Pratt*.”

“ *Sarah Martin*, late of the parish of Saint Giles's, Middlesex, and now a prisoner in this Penitentiary, on her oath deposeth :

“ The deceased was my sister; she was first taken ill with a cold in November last; she wrote for the doctor to admit her into the infirmary, where she was admitted three days after; she was soon after removed to the pentagon; she was again admitted into the infirmary in January; I was not allowed to remain with her until the 24th of March: she became unwell soon after the short allowance was regulated, and was very indisposed at times, until she was finally admitted into the infirmary; the diet affected her inside, (as it did mine and also others): since the full allowance of victuals there has been no reduction of it; the deceased hurt her back when she was about six years old, but when she recovered from that, which was about two years after, she continued in good health until the time before-mentioned, when she was in this prison, and short diet commenced; her illness was brought on through want, as she could not eat the victuals allowed her, and could not procure other victuals; she tried to eat the said victuals, but could not; she ate the soup as long as she could, but was unable afterwards to take it; this the people of the prison knew; as to the bread she would not eat an ounce in three days, and the soup she could take none of it for weeks before she was admitted into the infirmary. The gruel was three quarters of a pint once a day, the greatest part of this she drank; she had water allowed her.”

(signed) “ *Sarah Martin*.”

“ *Benjamin Chapman*, the Governor, again called in; and further deposed:

“ According to the prison register, *Sarah Martin* (the prisoner examined) came here for receiving stolen goods. It is entered, that her character was good, previously to her committing the said crime, and she has conducted herself perfectly well since her confinement here.”

(signed) “ *B. Chapman*, Governor.”

“ *John Pratt*, Surgeon, again called in; and further deposeth :

“ The deceased was not admitted into the infirmary until January last.”

(signed) “ *John Pratt*.”

“ VERDICT.—THE deceased, between July last and January last, became unwell and disordered in her body, occasioned by the short allowance and the quality of the provisions given her in the said prison; that, on the 19th of January last, she was removed into the infirmary thereof, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased, and she became paralysed; her stools and urine passed involuntarily; large ulcerations took place upon both hips; and erysipelas inflammation took place on the right thigh, which mortified and caused her death, which took place on the 20th instant.”

(A true copy.)

“ *John Henry Gell*, Coroner.”

Veneris, 6^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

George P. Holford, Esquire, a Member of the Committee; further Examined.

IS there any amusement of any kind, or any thing that may be called recreation in the Penitentiary?—There is not; and as the prisoners must in general be better fed and better clothed and lodged in this prison than many of them ever were before they came into it, we should be afraid that if we allowed them any amusement, the Penitentiary would be no terror to the evil disposed part of the public.

*G. P. Holford,
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Has it ever been suggested to you, that it would be of advantage to allow any amusement to any class of prisoners in the Penitentiary?—I do not know whether it has ever been suggested; when the prison was first opened the prisoners did not walk as they do now, two and two, but walked to and fro as they pleased; it was, however, found that this led to attempts to play at different games, and the practice has been discontinued; it was found to occasion noise and sometimes tumult among the prisoners, and the practice has ceased for three or four years.

Then it appears that now prisoners, when taking the air or exercise by walking, are allowed only to walk two and two?—The rule in the printed regulations sanctioned by the judges is, that they shall walk as the governor shall direct; at the time the rule was made it was not determined whether they should walk in single file, or two and two, or whether, in the second class, those who associated in the same cell should not walk together; but it was thought better, on consideration, that they should walk two and two, and it is so directed by the governor accordingly.

When the prisoners are so walking are they allowed to converse?—Each man may converse in a low voice with his neighbour, but he is not permitted to converse with any other than the prisoner with whom he is walking.

And even with that individual with whom he is walking, no conversation is allowed but in a low tone of voice?—Certainly, that is so.

When the prisoners are at work on the crank mill, are they allowed to talk at all?—I do not think it would be very easy to hold much conversation at such times, but they certainly are not allowed to converse there with each other.

If a prisoner were to attempt to talk, would not the task-master stop him?—He would do so; and I think prisoners have been reported for having talked at the mill, and not having been silent when ordered by the officer.

When prisoners are in their cells more than one at a time; for example, the second class; are they allowed to converse in any tone of voice which could be heard by any person walking along the passages?—They are not; they are specially enjoined not to let their voices be heard by any person walking along the passages.

So that in fact, whether the prisoners are in their cells, or at their work, or are walking, they are not allowed to talk in any tone which might be said to be louder than a whisper?—They certainly are not; great care is taken to preserve silence in the prison.

If the prisoners were allowed to talk to each other in any manner they pleased, would not that produce a complete uproar in the prison, in consequence of the number confined in the Penitentiary?—It probably would produce a good deal of noise and confusion; I believe that those persons who have attended most to prison discipline, lay great stress upon silence being preserved, and I think myself that the preservation of silence is of very great importance.

When visitors converse with any of the prisoners who are their friends, it appears that they always have, except in special cases, a keeper placed between them so as to overhear the whole of the conversation?—That is the case, according to the rules, generally; the prisoners never see their friends without the presence of an officer, unless by a special order to that effect, or in particular cases, in which the chaplain has a power to admit persons to see prisoners at the desire of the person making such request; in such cases the presence of the chaplain alone is sufficient.

How long is such visit allowed to take place?—The length of the visit, under the general rule, is ten minutes, and that is measured by a ten minute sand glass.

Does the turnkey regulate the sort of conversation which is allowed to take place, that is to say, if any question were asked, as to the news of the day, for example, would the visitant be allowed to respond?—I believe he would, but that subject has

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not come under my particular consideration ; I recollect that when a task-master desired to know what he should do, in case of a prisoner's making very violent complaints to a friend of the treatment which he experienced in the prison, he was instructed to request the friend of the prisoner to see the governor or the chaplain before he left the prison, and I believe that instruction was afterwards given generally.

Then complaints are not interdicted?—Certainly not ; and any letter a prisoner offered to send out containing a complaint would not be stopped ; all the letters which come in and go out are read by the governor and the chaplain ; there is no rule established as to what shall be stopped, this is left to the discretion of the governor or chaplain, but any letter which is stopped by either of those officers, must be laid before the visitor or committee.

Are you aware, that in common prisons, amusement is not only allowed, but rather encouraged, as is the case in many of the great prisons in London ; for example, the playing at ball is allowed amongst convicts almost up to the day of their execution?—I am not aware that it is allowed in any of those prisons where discipline is considered as of importance in the case of convicted prisoners ; it is not so at Devizes or at Gloucester, nor do I believe that such indulgences would be found to exist among convicts in any of the best regulated prisons.

With respect to the books the prisoners are allowed, at whose discretion is the selection of those books made?—The selection of the books for the prisoners, is left entirely to the chaplain, but with a strict limitation, that he shall allow no books but such as are on the list of the Society for promoting Christian Knowledge ; the reason of that limitation was to protect the chaplain from constant applications for permission to introduce particular books and tracts, which applications, if it were in his power to comply with them, would impose upon him the trouble of reading all the publications that were so offered, and the delicate task of pronouncing an opinion on regard to their fitness for the use of the prisoners. When the prison was first opened, there were several quakers who visited the prison, and they were very free in distributing tracts ; upon a refusal being given to circulate those tracts, the chaplain was questioned as to his reasons for rejecting them ; in order to protect him from such inquiries, it was thought right to limit him in the way which has been mentioned, and that rule has been observed nearly from the opening of the prison to the present time.

Do you know whether the whole of the books that are found upon the list of the Society for promoting Christian Knowledge, are in the strict sense of the word, religious tracts?—I believe they are not ; perhaps I should add to my other answer, that the chaplain has a power to apply to the committee for such grammars and spelling books as he may require, which are freely supplied, though not upon the list of the Society for promoting Christian Knowledge.

The books chiefly are bibles, testaments, liturgies, and those books that are used in the Church of England service?—Yes.

No books, which may be termed books of amusement, are allowed?—The rule laid down by the committee on this subject, is the sixth, under title " Chaplain," and is as follows : " He shall be supplied with books and tracts (from the list of the Society for promoting Christian Knowledge,) and shall issue them as he shall think proper, and shall apply to the committee for such spelling books, grammars, &c. as he may require for the use of the schools." The committee never have given any other direction but that ; the chaplain alone can speak to the manner in which he exercises his discretion under it.

Then you are not aware that those books which mix amusement with religious and moral instruction, such as the works published under the name of " The Cheap Repository," by Mrs. Hannah More, and other works of that class, are ever introduced into the prison under the direction of the chaplain?—I have no doubt the chaplain might introduce them, if upon the list of the Society for promoting Christian Knowledge.

Has it ever been suggested that it would be advisable to allow books for the use of the prisoners, containing no matter that could possibly be prejudicial in any point of view to them?—The rule having intrusted the chaplain with the discretion of distributing books to the prisoners, I should hardly think myself competent as an individual member of the committee to give an answer to that question ; it would require a considerable degree of consideration.

Do you think that the permission of a judicious selection of History, for example, Goldsmith's History of England, and parts of the translation of Rollin's
Ancient

Ancient History particularly, might not much tend to the bettering of the moral and the intellectual condition of the prisoners in the Penitentiary?—Perhaps my answer to that should be a general one; *viz.* that I have no wish to provide any amusement for the prisoners; I do not apprehend, as I have before stated, that dejection of spirits is common in the prison, and I have no desire to make their situation less irksome by giving them amusement; when I consider the many advantages in respect to their treatment, which they must have in the Penitentiary, over other parts of the community.

Are not those advantages rather of a physical kind than of a moral kind, such as clothing, diet, and lodging?—They certainly are.

Is not one of the great objects of the Penitentiary, to send the individuals out of it better qualified to be good members of society, than when they came into it?—It is certainly the object of the Penitentiary to send the individuals out better qualified, by moral and religious instruction, to be good members of society; we think it right to teach them to read and write; but I doubt whether the course of reading which the question proposes, would not have a tendency to raise the minds of the prisoners above their condition, instead of having the effect of qualifying them for the stations which they may have to fill.

It appears that they are allowed in the prison, a certain portion of books connected with education; such for instance, as certain branches of arithmetic?—The chaplain has the power of allowing those books.

Under the common name of school arithmetic?—Yes.

It appears that some of the people are taught to write as well as to cipher?—They are all taught writing, and may be taught ciphering at the discretion of the chaplain.

Do you happen to know how far they go in arithmetic?—I do not; I believe there is no general rule on the subject; if a prisoner has had a particular wish to improve himself, and has been a well-conducted prisoner, that indulgence has in some instances been given by the chaplain, but I do not know that arithmetic generally is taught in the prison.

To Mr. Bennet, a member of the Committee.—Are you aware of any of the prisoners now confined in the Penitentiary, going as far as decimals and vulgar fractions?—In going round the establishment this day, in one of the cells there were three lads, all of them of remarkable decent manners and behaviour, and two of them upon being questioned as to the books which lay upon the shelf in their cell, declared that one of them had got as far as vulgar fractions, and the other as far as decimals.

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Esq.*

To Mr. Holford.—If it be permitted that certain prisoners should go so far in arithmetical knowledge as decimals and fractions, do you not think the principle, where the same disposition and capacity exist, might not be applied to others with advantage, and also in addition to religious reading, to permit them to have historical reading?—I do not see any advantage in framing a general course of instruction, which should embrace historical reading; on the contrary, I doubt whether it would not have a tendency to introduce ideas into the mind of the prisoner above his situation in life, at the same time, I do not mean to state what might be the case under special circumstances; I think it likely, that those who are making progress in arithmetic, have come into the prison well instructed, and probably they have requested the chaplain to allow them to improve themselves in a study in which they had before been engaged; in a case of that kind, a discretion might be exercised without being a ground for any general system of education.

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Do you not think that a judicious selection from the great moral essayists, for example, from the Rambler and Idler, and some of the papers of the Spectator, might be allowed with great advantage, not for amusement, but as mixing up a superior kind of moral instruction with religion?—I cannot help thinking, that on the lists of the tracts of the Society for promoting Christian Knowledge, will be found quite books enough for the purposes of moral and religious instruction; and the cultivation of intellect in any other way, does not, as it seems to me, belong to the province of the education of a Penitentiary.

To Mr. Bennet.—Did you ever hear of any application to read certain books, being made by any of the prisoners confined in the Penitentiary?—Sometime back, a person wrote to me a letter, which he sent in the regular way, requesting the first time I came here I would call upon him; I saw him to-day, and he announced to me that he was the person who had entered into a correspondence with me some

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years ago from Lancashire, and with whom I had had some communication through the medium of very respectable persons at Liverpool; he is evidently a person of no common endowments; he is here under an assumed name, he is connected with one of the first Shropshire families, he is a person of strong religious feelings, a dissenter from the church of England, and of very studious habits; he requested me to procure for him, if in my power (and that was the favour which he had requested to see me about) the perusal of some other books besides those which he had; I asked him what were the books which he was desirous to have, he said Rollin's Ancient History, but that he was more particularly anxious to read the best works of the Greek and Roman history. I asked him if there were any other books which he wished to read, he said no, not immediately; but that he had much time which was very irksome to him, that he found his mind wandering upon subjects that were very painful, and he was very solicitous to have some other thoughts put into it than what existed there already; he is evidently (and I know he had that character before he came here) a person deeply impressed with strong religious impressions; and I am sure that his request proceeded from a conviction in his own mind, that the books which he wanted to have, were as much for medicine to the mind as any thing else.

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To Mr. Holford.—Having heard the account just related, would a person so circumstanced be allowed to have those books?—It is impossible for me to say what the committee would do upon a particular application of that sort; but if I am asked what is my opinion, I would not allow a person of that description books and amusement, which the meanest man in the prison also should not enjoy.

Do you think it is not a greater punishment to a man of a higher order and more cultivated education to be confined without books, than it is to a person of meaner order and less cultivated education?—The nature of the offences for which persons come into this prison is degrading; and, therefore, all who come into it must, in some degree, be considered as being on the same level; it is a greater punishment to one man to be closely confined, than it is to another; and so is a fixed prison dietary a greater punishment to a man who has been used to live luxuriously, than it is to a person who has had less opportunities of enjoying luxurious food; but these minute distinctions can not be attended to in a system of imprisonment; and if a person of refined intellect feels the punishment to be in proportion to that refinement, it should be recollected that his offence is greater than it otherwise would have been, had he not possessed that superior intellect and station in society.

Having heard, what you have stated, from the regulations of the Penitentiary, that the chaplain is to be supplied with all books and tracts such as are upon the list of the Society for promoting Christian Knowledge, would he be permitted, from his own library if he found any person of greater knowledge than others, to assist him by lending him books?—I think that by so doing he would act contrary to the regulations; that is, if it were done without the leave of the committee; when I say that no books can be introduced except by the consent of the chaplain, I do not mean to apply that observation to the case of a dissenter or Roman catholic, who may be furnished by the minister attending him with religious books, but all such books must be shewn previously to the chaplain, who is particularly required by the rules “to take care that improper books are not introduced into the prison under this permission.” I should also add, that where prisoners have been allowed to make great progress in arithmetic, it may have been considered that such knowledge might be useful with reference to their particular pursuits in life; such for instance may be the case with a carpenter, to whom it may be useful to understand measuring; but I do not think that learning of this kind has been encouraged or allowed with a view to the general cultivation of intellect of the prisoners at large.

Do you know what portion of time in the day a prisoner is allowed to read?—He has no time in the day in which he can read, for it is all taken up between working and walking in the yard; prisoners have been allowed to carry their books with them when walking round the yard; the committee said in answer to an application from the late governor upon that subject not long ago, that they saw no objection to that practice; the only leisure time which the prisoner can have to read is, after he is locked up in the summer time, when he may have two or three hours day light, or very early in the morning before he leaves his cell.

Have you found any letter on the part of Dr. Hutchison, with respect to air and exercise?—I have very carefully examined all the medical reports made by Dr. Hutchison and Mr. Pratt, as far back as the autumn of 1821, and I do not find

(except

(except the report of the 4th of October 1822, already printed) any report or letter in which air and exercise are mentioned; but having borrowed Mr. Pratt's private letter book for another purpose, I found by accident an entry of the following letter, which I understand he was desired to enter there, by Dr. Hutchison, and the original of which must therefore have been prepared to be sent to the committee; and I think, upon reading that letter, I recollect what passed with regard to it. The letter is as follows:—

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" Gentlemen,

Leicester-square, 22d March 1822.

" Having observed several of the prisoners walking lame in the airing yard, particularly such as are employed as tailors, and during the winter more than in the summer, and some of them having complained also of pains in their knees and ancle joints, I cannot account for the circumstance in any other way, than that they have not sufficient walking exercise.

" I beg leave to propose, therefore, that they be required to trot round the yard for the first ten minutes, to walk the next, and then to trot again; or that they be allowed to remain out a longer period each day, for the purpose of more exercise.

" I have the honour, &c. &c.

(signed) " A. C. H. M. D."

" The Honourable the Committee, G. P. &c. &c."

My belief is, that the committee saw Dr. Hutchison on the day on which this letter is dated, and that a good deal of conversation then took place on the subject of this letter; I think it extremely probable that the letter itself was produced, and read by Dr. Hutchison; it is quite clear that the committee had a personal conference with Dr. Hutchison on the subject of it, for he has stated in his evidence, that the expression he used was a "military trot," and that I observed, "you mean double quick time;" I conclude, however, that the letter was not left with the committee, because I can find no trace of it among our papers, and if it had been delivered in and afterwards mislaid, (as every paper is regularly numbered), the series of numbers would be imperfect, which on search I find not to be the case; it is to be observed too, that this letter is dated on the 22d of March 1822, which is only three days before the exercise of the prisoners would be regularly increased, according to the advanced season of the year; there was therefore no occasion for taking any immediate steps upon it; it is also possible that Dr. Hutchison might take back the letter to re-consider it, as it does not seem to be sufficiently clear to be the foundation of any rule; the proposition is, that the prisoners should trot round the yard for the first ten minutes, should walk the next, and then should trot again; this of course can only apply to the second class prisoners, as the first class prisoners are only in the winter season, during which this letter was written, ten minutes in the yard at a time, and if it does apply to second class prisoners, it requires some further explanation; the second class prisoners are in the yard about three quarters of an hour at one time in the winter, and according to this letter it would be uncertain whether they were not intended to trot for ten minutes, to walk for ten minutes afterwards, and then to trot for the remainder of the time, and if so, they must trot for twenty-five minutes, which would be a very long period for trotting; it is therefore very possible that Dr. Hutchison might take back the letter with a view to explain himself more distinctly upon that subject. It might naturally have been expected that the subject would have been resumed in the autumn, when the winter course of exercise again commenced, but Dr. Hutchison, in his report of the 4th of October 1822, does not revert to this recommendation; he only states, that some of the first class prisoners complained to him that they had only five minutes air and exercise during the day; which was founded evidently upon mistake.

Jovis, 12^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

George P. Holford, Esq. a Member of the Committee, further Examined.

DO you know how many deaths have taken place in the Penitentiary, since the first day of January last?—I think it is thirty.

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Do you know whether the bodies of any of those thirty persons, have been opened?—Some of those bodies have been opened; before this disease occurred in

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the prison; it came to the knowledge of the committee that two bodies had been opened in the infirmary, in the presence of the then governor; the committee thought it was an extremely improper thing that any such proceeding should take place with respect to the bodies of prisoners, before the coroner sat; and were not disposed to give any general authority at that time, to the medical gentlemen to open bodies at all; after, however, the disorder prevailed to a considerable extent, the medical gentlemen having represented that it would throw some light on the disease, and enable them to treat it with more benefit to survivors, if they were permitted to open the bodies, a special minute was drawn upon that subject, which I will produce to the Committee the next time they meet: the committee thought that the circumstance of there being a disease in the prison on which light might be thrown by opening the bodies, justified them in ordering those bodies to be opened, which the friends did not desire to have given up to them; the question was a good deal considered in the committee, and it was thought that as in such a case the members of the committee would probably direct the body to be opened in their own families, they might deal in the same manner with the bodies of prisoners, conceiving they had a right to deal with the bodies of prisoners, as they would with members of their own families, and not otherwise; the minute was a direction, I think, to the governor to allow the medical gentlemen to open the bodies of any persons that might be supposed to die of this disease, and I think it added, that it should not be without the consent of their friends.

When any person has died, having friends resident in any part of England, has a communication been made to his friends, before the body was buried?—The general practice of the prison is to write to the friends of the prisoners dying, if they are within reach, and can be at the prison in time, before the body ought to be buried; if the friends are desirous of having the body, it is of course given up to them.

What is meant by “within reach?”—If any prisoner is known to have friends residing within such a distance as to allow of those friends coming, or writing to the Penitentiary before the body is buried; a communication is made to those friends, and there are cases where a burial has been delayed, that the friends might have an opportunity of attending; it is impossible to define that by any very precise limits.

Within fifty or sixty miles?—I remember in a very recent instance an application made by a friend of a prisoner in town, that a burial should be delayed for a day in order that some relations who lived fifty or sixty miles from town, might be up to attend the funeral; that request was complied with, and the friends did come and attend the funeral.

It has not been a general rule to apprise all relations of a deceased prisoner of his death, where they resided upwards of a hundred miles off?—The prisoners friends at any distance, I apprehend, would be apprized of his death, but the funeral would not be delayed, if it was impossible to receive a communication from them in proper time.

Whose duty has it been to apprise the friends of the prisoners?—I am not aware that the rule prescribes that, but the chaplain has always done it; it may have been done in a particular instance, by the governor, but generally by the chaplain.

You do not know how many bodies of the thirty prisoners who have died since the first of January, have been opened?—I should think, not a very great proportion of them; but I am not aware of the number, it being done under a special minute, which allows of the opening under certain circumstances, and no return made to the committee of it; I have no official information of it.

Was no report made to the committee by the person opening the body?—The committee have never had any official report, it was considered as of use to enable the gentlemen who now take the medical charge of the prison, to form their opinions of the nature of the disease, and they have never reported any circumstances attending the opening of the body, or even stated what bodies they had opened.

There has been no register kept of the bodies opened, together with their observations?—None, that I am aware of; none has been laid before the committee.

Are you aware whether any prisoner has died since the Committee were at the Penitentiary on Monday?—No; certainly not.

Are there any in circumstances of death?—There is one woman who has been at the point of death for some days, with water on the head.

Alexander C. Hutchison, M. D. called in; and further Examined.

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Hutchison.*

(12 June.)

WHEN did you leave the Penitentiary?—I believe it was the 19th of April.

How many deaths had taken place between the 1st of January and the 19th of April?—I cannot recollect, but there were *only two* in January.

Of that number, how many bodies were opened, either by you or in your presence?—I think not more than three or four; I opened them all myself; I was assisted by Mr. White and Mr. Pratt.

Who were present at the opening of the bodies?—Doctor Roget, Doctor Latham, Mr. White, and Mr. Pratt; I am not sure whether Mr. White was present at the opening of every body, but he was at some.

Where were they opened?—In what we call the dead room.

Can you mention the names of the persons whose bodies were opened?—Yes, I think I can mention the names of some of them; Mansfield was one, Church was another; there were two others who had ecchymosed blotches on the mucous membrane of the intestines, whose names I cannot at this moment recollect; they were of the same character as the blotches on the legs.

Was there any statement drawn up of the cases of those persons who were opened, or any minute made in a book?—There was not.

Did you yourself make any note?—I made no note; the transaction is so recent, and so many of us being present, there can be no doubt about obtaining correct information even now, upon that subject, and if it is wished, I shall be happy to join the other gentlemen in drawing up a report.

Is it not usual on the opening of bodies on occasions so important as that which appears to have occurred at the Penitentiary, for medical gentlemen to make a note?—When surgeons are called upon by the friends of any person to examine a body after death, for the satisfaction of the friends who employ them, we make a statement and give to those friends, but I am not aware of that being done under any other circumstances.

Not in public institutions?—No; unless the medical gentlemen are making notes for publication.

Were those bodies opened previous or subsequently to the inquests?—Always subsequently to the inquest.

The verdict of the jury had been returned?—Yes.

You opened the bodies of course with a medical view?—Just so, and with the sanction of the committee for so doing.

Did you make any report to the committee of the symptoms?—The circumstance of those blotches being found in the alimentary canal of two individuals, is mentioned in the Report of the two physicians to the committee of the Penitentiary, and subsequently laid upon the table of the House of Commons.

Were the appearances such, as justified your previous notion of the nature of the disease, or not?—I mentioned, (and I hope what I am about to say, will not be considered as detracting in the smallest degree from the merits of the gentlemen that were called in); I mentioned, I say, to Dr. Roget, previous to the examination of either of those two bodies, that I was quite sure when they came to be examined, the same appearances would be exhibited on the villous coat of the intestine, as existed on the lower extremities of the convicts labouring under scurvy; and after the examination had taken place, I asked Dr. Roget, when those appearances were exposed by dissection, whether he recollected what I stated to him the previous day; he said, *perfectly*; and I noticed it because it was a thing I had seen occur in seamen, who had died of that disease.

Of what disease?—Scorbutic dysentery.

Brought on by what?—By the causes to which we have already ascribed the disease.

Were you not in the habit of keeping a journal of your observations upon the complaints and diseases and the disorders of prisoners, when you visited them in the Penitentiary?—No, I cannot say that I was; I had a little memorandum book with me, in which I used to mark down the individuals, whom I thought it right to send below into the prison from the infirmary, and such as I found it right to remove to the infirmary from the prison; when I performed my monthly inspections, and I desired the surgeon to keep accurate accounts of every circumstance, I desired him to give me at different times the state of the heat in the different pentagons in the severity of the winter, also to keep a watchful eye over the appearance of bowel affections among the prisoners, after the establishment of the late dietary, thinking

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that the bowels were more likely to be affected, on account of this fluid dietary, than if they had had solid meat, and he gave me a regular account monthly, of the number of cases of diarrhœa that did occur.

Were any of the officers of the prison affected with the diarrhœa from the time of its first appearance till you left the prison?—Not to my knowledge.

None of the turnkeys?—No, I believe not.

Were any of the attendants, any of those who, being convicts, are allowed to attend in the kitchen, and were allowed to go in and out, affected?—They were not, and in effect I may mention, not any of the wardsmen as they are called, who are employed in the infirmaries, were, during the period I was in the institution, attacked with bowel affections; these wardsmen were constantly in the habit of preserving the evacuations of the diseased patients, for the inspection of the officers, therefore I conceive if there had been any thing infectious in the disease, those were the men who would have been most liable to receive that infection.

It has appeared to the Committee, on visiting this prison, that several of the prisoners who are affected with this disease, were taken with the complaint, one in eight days, and several within a very short period of time; a great many within two and three months of their coming into the prison; how do you reconcile that with your opinion that this disorder is not infectious?—In my former evidence I stated, and I think I was the first to state the fact, that it is a very common thing for bowel affections to take place among a community of persons, in case of a sudden transition from one diet to another, particularly from a low diet to a higher one, and *vice versa*.

Those were persons who had not been in the prison many days, and many of them may have come from other prisons, where the diet is not even so high as that which they received when they were first brought into the Penitentiary?—Although the diet of a prisoner so admitted into the Penitentiary, and so attacked within a few days, may not have been higher or lower, but precisely the same as to quantity as that which he gets in the Penitentiary when he comes there; there may have been a difference in the *quality* of that diet, he may have had that in solid which he now has in fluid.

How do you account for the officers of the prison who are living upon the same diet, upon which they had always lived being affected?—They were not affected while I was there.

Three or four of the turnkeys have been affected with this complaint, and their diet has not been changed; how do you account for the distemper they have had?—It is impossible to account for every single instance, but three or four, or half a dozen instances are not sufficient to establish the fact, that there is any thing contagious in this disease.

Does that induce you to hesitate or doubt about it?—I should still doubt whether there be any thing contagious in it.

You are not positive, but you doubt?—I doubt; I think that the disease is not contagious, that is the impression upon my mind, quite distinctly so; three or four instances are not sufficient to bear a man out in the belief that it is.

Do you recollect the case of Ann Martin, who died in the prison on the 20th of April 1823?—She died the day subsequently to my dismissal.

Do you recollect the committee of the Penitentiary applying to you for the circumstances of Ann Martin's case?—I do.

Do you recollect writing an answer to that application?—I do.

You are aware that in that answer you declined giving any account to the committee until such time as you should know who the members of the committee were who were present at the time of your dismissal?—Precisely so; that was my answer; and as I had other very pressing engagements to attend to, I conceived that the then medical officers of the institution were those who ought to have been more properly applied to upon that subject than me.

Do you recollect writing a letter, addressed to the Editor of the British Press, dated 7, Spring Gardens, April 27, 1823?—On what subject?

On that subject?—Yes, I do, perfectly; and with the leave of the Committee I will mention why I wrote that letter; it is the only letter but one that I ever published in a newspaper in my life, and that was a canvassing letter for the Westminster General Dispensary; I beg to take this opportunity of stating, that I never was, directly nor indirectly, privy to the insertion of any paragraph in any newspaper connected with this, or any other transaction, in the whole course of my life.

Supposing such an application were now made to you, and supposing you considered

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sidered it was of importance to the knowledge of the facts that were inquired into, that you should furnish some report, do you, on re-considering the case, think you would still withhold the information the committee required, merely on account of that personal feeling which you have stated?—It is impossible for me distinctly to answer this question, because the Committee must allow that a person will do a thing at one time that he would not certainly do at another, he must act on the impulse of the moment; but I will state to the Committee why I addressed that letter to the public, through the medium of a newspaper.

Is that the letter to which you allude? [*a letter being shown to the witness.*]—This is the letter that I wrote. To the same letter I put a postscript afterwards, with which it appeared a day later in ‘The Times’ newspaper, to desire that the public would suspend their opinion on the subject of that case, as it was likely to undergo investigation.

[*The letter was read, as follows:*]

“The late Inquest in the Penitentiary:—To the Editor of
‘The British Press.’

“Sir,

7, Spring-gardens, April 27, 1823.

“Although the main scope and great utility of your labours have public objects chiefly in view, you do not occasionally disdain to set the public right with regard to injured individuals, particularly when their character is undeservedly and untruly aspersed. In the narrative of the coroner’s inquest regarding Ann Martin, last week, in the Penitentiary, it was stated, that her death had been caused by scanty nourishment; that she had not been visited for some days by any medical man, although very ill in the prison, but that the surgeon sent her a powder three different times.

“Now, Sir, in consequence of a gross misapprehension, it is I, who have been understood by a great portion of the public as the adviser of the diet, and that I was the medical man alluded to, which may seriously affect my professional character.

“Both imputations are totally unfounded; for the scheme of diet therein adverted to was one of which I disapproved, and was adopted contrary to my opinion and advice. And with regard to the medical treatment, I had not, at the period of her death, any medical charge in the institution; and the person alluded to, as being written to, and having sent the powders to the poor woman, was the resident surgeon; my situation, when I belonged to the establishment, being that of medical superintendent.

“I am, Sir, your obedient humble servant,

“A. Copland Hutchison.”

Dr. Hutchison.—I received a note (which I will lay before the Committee at their next meeting) on the Sunday morning, from a very dear friend, telling me, “For God’s sake, do something instantly; for the tide of public opinion is all “against you.” I ask any gentleman on this Committee, whether he would, under this impression, have done less than I did upon that occasion?

Do you think that the answering the committee, and giving the information requisite, would have had any effect in injuring you in public opinion; do not you think that, on the contrary, the fact of your having answered would be in your favour?—Perhaps it might have been better for me if I had done so; but I must say, my feelings were at that time extremely acute.

Did not all the charges, whatever they were, whether true or false, that were brought against the Institution, in respect of the usage of this person, relate to the period anterior to your ceasing to be the medical superintendent; the charges in the newspapers, to which that letter was an answer?—Yes; but the Committee will understand, that, for the last month previous to my removal, not a single prescription of mine for that woman was made up by the surgeon; they were refused to be made up.

Do you mean, that they were refused for a month before you left the prison?—They were; they were refused to be made up before my letter to the Committee of the 8th April.

By whom were they refused to be made up?—By the surgeon.

Did not some of those charges relate to a period of three months back?—I did not go into the statement accompanying the note; I felt so much hurt at the treatment I had experienced, that I did not give myself a great deal of trouble about

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it, as I conceived the gentlemen then in charge were those more immediately to be appealed to.

Do you know whether the powders you allude to were or were not given?—I cannot say.

Do you think, according to the practice of the prison, they could have been given in that way?—It has been by no means an unusual thing for medicines to be sent down to the prison for convicts.

Is there any instance of medicines having been given to the convicts without their having been seen by yourself or the surgeon?—I cannot say whether they were or were not by the resident surgeon.

Do you know what was the practice as to visiting patients in the prison?—That they were visited when the surgeon was sent for invariably, I believe.

Do you believe the surgeon went round daily?—Whether he went round the whole of the pentagons, I cannot pretend to say; but I believe as it respects the surgeon's attentions to the sick, as far as attention would go, he did it to the best of his ability.

As you were three years and a half medical superintendent of the prison, do you not know whether it was the practice of the surgeon to give any medicine without seeing the prisoners previously?—I do not think he would do so generally, but he might in a particular instance or two; I cannot charge my memory with any one instance of his ever having done so, but it is impossible for me to say he never did so.

How do you know that your prescriptions were refused to be made up?—It was about three weeks I think as nearly as I can recollect, or may be a few days more after the appointment of Doctors Roget and Latham that I discovered it

Were you at that time the medical superintendent of the prison?—I was.

Were those prescriptions drawn up by you, without consultation with Doctor Roget and Doctor Latham?—Those gentlemen had not been desired to consult with me; and this was a surgical case, the case of Ann Martin, a sort of case they never interferred with.

You have stated that for some time before you quitted the prison, your prescriptions had been refused to be made up?—I have.

How do you know that they were refused?—The surgeon, Mr. Pratt, told me that he could not comply with my wishes; on my asking him why, he said he must see what Doctor Roget, Doctor Latham, or Mr. White, would say to it when they were present.

Was there more than one conversation upon that subject?—Three or four.

Was it a refusal to make up your prescriptions generally, or only to give lemon juice?—It was to make up the prescriptions generally. With respect to this poor woman, Martin, they were giving her brandy, and she wished to have wine, and I requested wine to be given to her directly; he said, "I cannot do it, Mr. White is attending, and I do not know what to do; I have Mr. White attending on the one hand, and two physicians on the other." I asked him whether he had received directions not to comply with my wishes; he hesitated, and then said "no."

After the time that Doctor Roget and Doctor Latham and Mr. White were introduced into the prison, were you in the habit or were they in the habit of prescribing or ordering medicine for the prisoners separately, or did you do it in consultation with each other?—Sometimes in consultation with each other, and sometimes separately; I would go to a patient and prescribe, and say, "I have done so and so;" and I would go to prisoners they were visiting, and so we would unite our opinions.

Do you mean to say, that for a month previously to your leaving the Penitentiary, you had been in the habit of writing prescriptions, that were not attended to?—Yes, I had been in the habit of prescribing for individuals, that the surgeon would not make up the medicines for.

What could induce you to continue drawing up prescriptions, which from experience you knew were not attended to?—It was my anxious wish to ascertain what was the cause of all those objections on the part of the surgeon; I wished to ascertain whether it was of his own accord, or whether from any special directions he had received from the committee, or any particular member of the committee, or from the physicians, or consulting surgeon, or from whom the thing emanated.

As far as you can recollect, what number of prescriptions do you think you drew up which were so unattended to?—There were no written prescriptions, there were so many sick, the surgeon went round with a sheet of paper, and I said, "you had

had better give this man wine instead of brandy; you had better give this mixture or that, and so on."

Occasionally prescriptions were drawn on paper probably?—Not unless on particular occasions.

You mean to say, that in the whole course of that month, no one of your recommendations was attended to?—I cannot say that; I can only say that the surgeon in those cases told me what I have already stated.

Mr. White having been called in as a consulting surgeon, would it have been professional in Mr. Pratt to have taken your directions without consulting him?—The consulting surgeon was called in unknown to me; if his services had been at any time required, I am quite sure he would have gone very willingly.

Was it not a surgical case?—It was.

Your impression is, that although you cannot positively say that no recommendation of your's was attended to, you think, that generally speaking, your recommendations were not followed?—I only know that the surgeon said he could not do it, he would consult those gentlemen.

Did not the conversation arise, in consequence of your saying you would give lemon juice, which those gentlemen did not allow?—That could not apply to this woman, for she did not take lemon juice.

The question refers to the first conversation upon this subject?—It is impossible for me to fix precise dates, but I know that he declined complying with my desire to make medicines for various patients; I asked him whether he had received instructions to that effect, and he hesitated in such a manner, as to leave an impression upon my mind, that he had received instructions to that effect.

Did you consider yourself justified in going round and prescribing for the prisoners singly, after Dr. Latham, Dr. Roget, and Mr. White had been professionally called in?—The fact is, that as the principal medical superintendent of that institution, I do not think that my services there ought to have been superseded in the way they were; I went there frequently, I tried to fix a period with those gentlemen to meet, and on one occasion I said to one of them, "I wish you would fix a period to-morrow." "No, I cannot, indeed, it would be very inconvenient." I replied, "my inconvenience would be as great as your's." When a period was fixed, they did not come so regularly to the period as I did; and my time was as valuable to me as their's to them; I went therefore round the wards, and if those gentlemen had found that the medicines prescribed were not such as met their approbation, it was for them then to make any alteration they chose.

Do you conceive that considerable mischief resulted from your prescriptions not having been attended to?—That I cannot speak to decisively.

What were the points of difference in the medical treatment of the patients, between you and Doctors Roget and Latham?—The only difference of any consequence that was made, was a combination of mercury with chalk, for what we call the chalk mixture, with aromatic confection and opium; the affection of the bowels (when the patients were under the lemon juice, the chalk mixture and other articles just stated,) was not increased with the lemon juice. But I observed, and am pretty sure it will turn out to be the case, that bowel affections increasing afterwards, might, in a great measure, be considered as owing to the acid disagreeing with the bowels, from the presence of mercury, for every body knows, I believe, that all vegetable acids are interdicted when a person is taking mercury, on account of the griping pain they produce.

From your experience of the scorbutic diarrhœa, which is conceived to be the disease in the Penitentiary to which the Committee are referring, is the giving of mercury a practice which you have seen followed with success?—Never.

In point of fact, is it not professionally considered as an experiment that has been tried, and has been abandoned from its almost universal failure?—It is.

You think that had your mode of treatment been followed, the result might have been different?—I do, and I addressed a letter to the two physicians on that account, the eighth day after they came into the institution.

You think that the disease would have been counteracted much more than it was?—That is my opinion, from the result of my practice and experience, but I wish by no means, by what I say, to impugn the practice of those gentlemen.

Do you know, in the cases you have mentioned, of your prescription not having been attended to, that a medicine contrary to your prescription has been given in any case?—It is impossible for me to answer that question, since the surgeon denied me the favour to comply with my requests.

Dr.
Hutchison.

(12 June.)

Dr.
Hutchison.

(12 June.)

Did you ever communicate to the committee, that Mr. Pratt had refused to obey your directions?—No, I did not.

Were you aware for a month previous to the 8th of April, that your services would be dispensed with?—No, I was not aware that they would be dispensed with till I received the letter from the committee.

Then the Committee are to understand, that you are not sure that your prescriptions were not attended to, but that they were not attended to till Mr. White's opinion had been given upon them?—All I have stated is, that the surgeon told me he could not give the medicine or wine to the individual persons I prescribed them for; and whether it was not attended to, or was attended to, it is impossible for me to say.

Did he not state to you, that he could not give the wine until Mr. White had been spoken to?—He gave that as a reason, "What am I to do, I have got Mr. White on the one hand, and Doctor Roget and Doctor Latham on the other."

Did he state, that he could not follow your prescription, or did he say to you, I cannot give the wine until I have spoken to the other medical gentlemen?—I think the latter was the fact, that he said, he must see those gentlemen.

Is it stated in the report in the newspaper, which you thought fit to contradict, that Ann Martin was removed from the infirmary to her cell; is that fact?—Very luckily, I have got my memorandum book, which I particularly kept for the purpose of marking all removals from the infirmary, and to the infirmary; her name is not there, but S. Martin, meaning Sarah Martin, her sister is there, as having been sent down by me on some day in January, but not Ann Martin.

That is to say, that the woman who died was in the infirmary, and not removed to her cell by you, but that her sister was sent to her cell from the infirmary?—She was by me; in fact, I never sent a single individual down to the cell from the infirmary, for the last twelvemonths, without making them distinctly understand, that they were not to go if they did not feel themselves competent to go through their work; and if they did not feel perfectly well, I have said, "Now be sure you are well able to do your work." "Yes sir, I am sure I am, I am much obliged to you."

Were not the prisoners in the infirmary better pleased to stay there, than in their cells; would they not from choice remain a good while in the infirmary?—Yes.

There is more society, more indulgence there?—Yes.

George P. Holford, Esq. a Member of the Committee; further Examined.

G. P. Holford,
Esq.

WITH reference to the present medical treatment in the infirmary, Doctor Hutchison has stated his objections to be very serious to the mercurial treatment; do you happen to know whether the mercurial treatment is still persevered in at the Penitentiary?—I believe it is; and I conceive it had been doing good, but I am no judge of that; the communications I have received from the gentlemen now in attendance is, that it is pursued, and that it is efficacious.

Alexander C. Hutchison, M. D. was further Examined.

Dr.
Hutchison.

YOU have heard that the mercurial treatment is still pursued in the Penitentiary; do you consider that treatment to be injurious to the nature of the disease at present existing there?—I shall answer the question, by stating, can it be doing good, when it so happens that three or four hundred persons still labour under the disease, after the lapse of three or four months, during which those gentlemen have been acting there; and, on the other hand, the diarrhœa which now exists may not be the same, it may have changed its character, in which case, the medicine in question may be very necessary.

George P. Holford, Esq. was further Examined.

G. P. Holford,
Esq.

YOU have stated, that in your opinion, the complaint which has prevailed in the Penitentiary is contagious; will you have the goodness to state to the Committee, on what you ground that belief?—My belief is, that it is contagious or infectious, from the number of new cases, which cannot be referred to the old diet, which have occurred in cases of prisoners coming in within a very short time indeed, since the whole dietary was altered by the present medical gentleman.

Are the new cases of diarrhœa of the same nature, and marked with the same distinctive character as the old disease?—I am not competent to speak to that subject, but I rather think not.

How many persons have been infected with this disease, either in its former character or present character, subsequent to the change of diet?—I cannot answer that question; but I believe Doctors Roget or Latham are prepared to answer that; three or four officers have contracted the disease who are in the same part of the prison as those prisoners, and have used the same privy, and that is one of the circumstances which leads me to conceive it infectious.

Are the prisoners in a convalescent state, or do you consider the disease still raging?—From the conversation I have had with the medical gentlemen, I believe the disease is assuming a milder character, though the patients are increased in number, that is owing rather to their being kept in the infirmary by way of caution.

Alexander C. Hutchison, M. D. further Examined.

IS it your opinion only, or is it a point very much contested among medical men, whether the mercurial treatment is a proper treatment in the scorbutic diarrhœa?—Among medical men, who have had most experience in the treatment of scurvy, it is a practice that is never pursued. I should conceive it was abandoned on account of its injurious consequences; and I may also remark, that it has not been found in my practice, nor in the practice of others of greater experience than myself in the treatment of scurvy, and who have given their evidence to this Committee, that the bowel affection was increased in consequence of administering the lemon juice; on the contrary, that it has had very beneficial effects, when combined with opium, in the manner I have already mentioned.

Would not mercury, administered without lemon juice, be a proper mode of treatment?—Certainly not.

Do you conceive the mercury has been used with lemon juice?—I know it; it was given with lemon juice, in some cases, in the infirmary when I was there.

Have you prescribed mercury for any of the prisoners?—Never for the scurvy.

For the diarrhœa?—For the common diarrhœa, perhaps we may give common preparations of mercury, but merely as a purgative; and sometimes small doses of the mercury and chalk may be given with advantage in common diarrhœa.

Is it a proper course of treatment to administer mercury to such an extent as to affect the bowels, in either scurvy or diarrhœa?—Certainly not; not as far as my reading, practice and information go; it is done sometimes, but it is not a practice that is recommended; in cases of what we call chronic diarrhœa, perhaps small doses of mercury may be useful in changing the nature of the secretions; but it is not a remedy we trust to.

But not to the extent of affecting the mouth?—Certainly not.

Mercury, of course, is a medicine of so potent a nature, that when it does not do good, it must do harm in the treatment of any disease?—That will greatly depend upon the quantity exhibited.

Being exhibited in the quantity you believe it to have been in the Penitentiary?—I should suppose the chances are, that it would be injurious. I can assure the Committee, it is with great pain I am obliged thus to speak as I have done; but I have said no more than I conceive necessary.

You conceive mercury to be an improper medicine?—Certainly, in scorbutic diarrhœa; it is given in common diarrhœa sometimes with advantage.

Is it your opinion it is given with advantage to the extent of affecting the mouth?—I think that is carrying it rather too far.

Of the medical gentlemen of reputation practising in London, what gentlemen should you mention who you think would be likely to give a satisfactory answer with respect to the point now under consideration?—The Committee know as well as I do who are the men of eminence in the medical profession; and the question has been answered by every medical man who has been examined by this Committee, that mercury is injurious.

Has this subject of treating the scorbutic diarrhœa by mercury, been a topic of controversy among the medical gentlemen?—No, I am not aware that it has.

You consider it a decided point?—Yes; I am quite sure that the gentlemen who have been examined, or any other the Committee might think fit to call on the subject of giving mercury in scorbutic diarrhœa, would say that it is not a practice to be followed.

It is frequently given in common diarrhœa?—Not often, the common practice is to give the chalk mixture with aromatic confection and a few drops of laudanum,

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every three or four hours after giving a saline purge, and this generally carries off the disease.

The Reverend Archdeacon Pott, called in; and Examined.

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Archdeacon Pott.
(12 June.)

HOW long have you been a member of the committee of the Penitentiary?—From its first establishment.

Did you attend the committee during any part of last summer?—During the greater part I was absent from the committee from severe indisposition, which occasioned my going to Hastings until the beginning of June; I was there from the end of January to the beginning of June; and from the first week in June to the present time, I have been uniform and constant in my attendance.

You attended the committee before the new dietary was established?—Long before the new dietary was established.

Was your attention directed, after the new dietary was established, to the health of the prisoners?—Most constantly; it was the subject of most anxious inquiry whenever we met.

Was your attention particularly directed to their appearance after the dietary had been some time in operation?—Undoubtedly it was, in a material degree; because it was represented to us from time to time by the matron, that she thought their appearance was changed for the worse.

Did you from your personal inspection form the same opinion?—I own I was governed principally by what the matron stated upon that subject; because I had not been visitor within that time, and therefore had not frequent opportunities of making personal observation.

Did you communicate with either of the medical officers of the establishment upon that subject?—In two instances; I recollect very particularly that a communication was made in one in consequence of a letter written by Mr. Pratt, in which he stated his apprehensions upon the subject, that he thought the strength of the convicts was gradually diminished, and in consequence of that they would not be able to continue the labour; that they became palid, that their appearance was changed, that of course excited very great apprehensions in our minds, particularly in the minds of one or two of the committee, of whom I was one; we did entertain apprehensions of that nature, and that induced us to look very anxiously to Doctor Hutchison's opinion on the subject, when that letter was addressed by Mr. Pratt; and on another occasion, when the gruel was substituted for the soup, he did attend.

Do you recollect the date of that letter of Mr. Pratt's?—I think it was the 21st of September, or thereabouts.

Was Doctor Hutchison examined by the committee, between September and Christmas, relative to the state of health of the prisoners?—Whenever Doctor Hutchison was present during the sitting of the committee, and whenever he attended, it was the subject of inquiry, whether he thought the diet was operating unfavourably to the health of the prisoners.

What answer did Doctor Hutchison give to those questions?—Certainly never any that ever led us to conceive, that he thought it was operating unfavourably, for if there had been any such answer as that, it would have induced us to take other measures, for we had very strong apprehensions on the subject ourselves. During the summer the committee was but slenderly attended; had any of those gentlemen been certain that it was the opinion of Doctor Hutchison, for whose abilities we entertained a high esteem, and to whose judgment we deferred, other measures I conceive would have been taken; but we certainly never got that opinion from Doctor Hutchison.

Did you communicate with Mr. Pratt upon the subject?—Frequently.

Did you communicate with the matron upon the subject?—Frequently.

With the work-master?—I do not recollect ever asking any question relative to the health of the parties, but of the matron and surgeon.

Did they, during the whole of that period, concur in thinking that the dietary was too low for the health of the prisoners?—After it had had some trial, certainly they thought so; and stated that as their opinion, uniformly.

In fact, was not the matron against the dietary from the commencement?—I think she was, undoubtedly.

Were not in general the opinions of the officers of the establishment against the dietary?—I really hardly know on what they might ground that; of course they were

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were aware it would create great dissatisfaction, and from no other reason than that, they might be a little averse to it; whether they had other apprehensions about it I cannot pretend to say; upon the whole it was not a popular thing; the officers of the establishment conceived it would create discontent in a very high degree.

Did the prisoners make complaints to you of feeling the want of sufficient food?—I never was visitor during any of those months, from June to September; I had no opportunity of learning from them any such remarks, but heard them as stated to the committee, from time to time; the members of the committee are not so much in the habit of going round as the visitor; the visitor, during the month, makes personal inspections, and the result is brought before the committee for their examination, then we heard of dissatisfaction abundantly, no doubt.

It has been stated, that the opinion of the matron was adverse to this dietary from the beginning; is not the matron a person who, whatever her own opinion might be with regard to the orders of the committee, would carry them punctually into effect, and whose integrity is such, that it might be relied upon accurately in any statement she might make?—I confess her opinion weighed so much with me, that it led me to entertain pretty much the opinion she gave; I conceive her to be a woman of very good judgment, of kind and tender feelings towards the convicts, which might give a little bias to her sentiment, but she stated it so uniformly and so steadily, that I confess it had great weight with me, and made me very anxious about it.

Did she give you any particulars on which her opinion was founded?—We often asked her that, and she said, “I see their strength decay and their colour change, “and I am sure they are sinking in health.”

Did she ever mention the circumstance of any of them not being able to eat the soup, their stomachs rejecting it?—Yes; and it was in consequence of that, that the gruel was substituted; they could not take soup the last thing in the day that was given, and the gruel was substituted; we wished the alteration to have gone further, but Doctor Hutchison’s answer was, “it must be tried for a year or two years before “it can be ascertained at all,” and he never said any thing to lead us to think it was in his opinion operating injuriously.

Did you understand from Doctor Hutchison, that it was his private opinion, or that as an officer of the institution, he felt himself bound to comply with the directions which he had received from the committee, as doctor?—I had not the least idea that that impression was ever upon his mind; I was not aware that he did ever object to the change of diet; I was absent at the time it took place, and therefore it was certainly a matter very astonishing to me, when he stated, that he had uniformly objected, he never said any thing of the kind to us.

Do you not think, that that conduct on his part, might have proceeded from a wish to comply with the instructions he had received, to give this experiment a fair trial, and supporting at the same time, his own private opinion upon the subject?—It is possible, but it never entered into my mind, that that was the state of the case.

Do you not think, as medical superintendent, Dr. Hutchison was not to wait for instructions from others; but, if he saw any deterioration in the health of the convicts, was himself to originate any hints for the alteration?—I felt so fully convinced of that, that it was the only thing that satisfied me in going away, time after time, without making an alteration.

Are you aware that Sir James M^c Grigor visited the establishment in the middle of February, and, speaking as to that time, has given it as his opinion, that the prisoners were in good health, and that the dietary had nothing to do with the state of the disease?—I remember that perfectly.

Were not the number of sick in the infirmary, on the day on which Sir James M^c Grigor visited, unusually small, as compared with either the preceding or the subsequent period?—That my recollection does not reach to.

How soon, after the change of diet took place, did the matron mention to you a falling off of the health of the prisoners?—I cannot exactly say how soon; but from the 7th of June, which I think was the first day of my attending after my return from the country, whenever we saw her she gave the same answer uniformly.

Did you mention to Dr. Hutchison the report made to you or the committee, from time to time, by the matron, of the reduced state of health of the prisoners?—I do not recollect that that was particularly put to him; we looked to him for his own judgment in the case.

Did that, at any time, pass in conversation between you and Dr. Hutchison?—I apprehend Dr. Hutchison himself was aware that the matron entertained that persuasion;

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persuasion; I conceive Dr. Hutchison must have known that; but I cannot pretend to say that for certain, because it was a thing well known to us all, that it was her opinion.

Was that the impression of any of the other officers of the prison, besides the matron?—That I cannot well say; for the persons we communicated with, whom we thought most competent to give us good information, were principally Dr. Hutchison, to whom we deferred upon all such occasions; and then the matron, the surgeon, and the chaplain; those were the persons we were most in the habit of conferring with at the board; the other officers are not called before us, except on any thing occurring in their particular department.

Did you observe any dejection of spirits in the prisoners, after the change of diet?—I wish I could answer that more distinctly, but I cannot; not having been visitor during those months, I did not see much of them.

Did the matron state to you, that there was to her a great appearance of dejection of spirits?—She stated, that she thought their countenances were altered, their looks were changed, and their bodily strength impaired.

Have you been in the habit of visiting other prisons?—Never.

You cannot form any opinion as to the state of the spirits of the prisoners in this as compared with other gaols?—No.

Have you regularly attended the meetings of the committee, since the month of June last?—I think with very few exceptions.

Is it not a part of the duty of the visiting committee to see the prisoners?—There is a visitor who makes his report, and from his report, the committee, who sit, form their own opinions.

The committee of management, in point of fact, do not see the prisoners themselves?—It is no part of the business of the committee to do that; it is the express business of the visitor.

A report is made by the visitor to the committee of management?—His book is constantly called for, and read, with all his remarks for the week preceding.

Who happened to be the visitor from the month of June to the month of January?—It was not confined to one; Mr. Courtenay was visitor for the major part of the time, I think.

Who since the month of January to the present time?—I rather think that Mr. Courtenay has been very much in the habit of being our visitor for some time past.

How long does a visitor continue in office?—Sometimes he is continued on from month to month; there is no fixed rule on the subject.

He is appointed by the committee of management?—He is.

For what period generally, or for no specific period?—He is appointed for as long as may be convenient to him, till he quits town, or it becomes from some cause inconvenient; it is sometimes put to a gentleman, "Is it convenient to you take it for the next month."

Did the gentleman who was the visitor at the early period of the visiting, or afterwards, make any special report, or give any opinion, as to the cause of that sickness; did he give any information that led the committee to form an opinion that the cause assigned for the change of appearance was not correct?—No, I do not recollect that he did.

You state that the managing committee reposed such confidence in Dr. Hutchison, that it was in consequence of his silence as to the cause of the disease, that they did not make any remarks on the change of dietary, as being that cause?—Whatever apprehensions we entertained in our own mind, we did not feel ourselves justified in making any change as to the dietary, which public opinion seemed to have called for, particularly as we were but a slender committee; we wished to have strong grounds for a change; had such grounds occurred, the representation of the physician would probably have produced a change more suddenly and immediately than it took place.

It was in consequence of the managing committee being so slenderly filled at that period, that they did not feel themselves justified in making a change in measures, though their general feeling was, such change might be advantageous to the prisoners?—I cannot say that we fully entertained such an opinion; we looked to our principal medical adviser, we did not know how far the opinions of the superintendents might have been changed by the discontent excited upon the subject; we looked to our medical adviser to influence our opinion, at the same time there was nothing

nothing to the extent which has since occurred; at that time, whether it was a large committee or a small one we must have made a change, if it had gone to that extent at that time.

Had the managing Committee been composed of a greater number of members, it is probable that some inquiry, notwithstanding the silence of Dr. Hutchison, might have been made?—I will not pretend to say, that the alarm at that moment was not excited in any very high degree; it was a fear that attached to some of us more than others. I do not know how far our chairman participated in it; I had that fear which I had imbibed from the accounts the matron had given, thinking she was so good a judge from her constant observation; but there was nothing alarming in her account, only that she saw a change for the worse.

When did you first know that Dr. Hutchison was against the change of dietary?—I did not know till the other day that he was against it; I mean within these few weeks.

Did you know it by having seen any thing written in the public papers, or from what you heard from Dr. Hutchison?—I knew it from what was passing, and from his published letter.

Did you consult Mr. Pratt, the surgeon?—Yes.

What was the opinion of Mr. Pratt?—His opinion certainly was, that the diet was operating injuriously.

When was that opinion taken?—He gave that opinion by letter, the 21st of September, or somewhere near to that date; at that time there were but few cases; I think Dr. Hutchison, also by letter, stated that there were but a few cases of common diarrhoea, nothing very alarming; in short, the report made upon it by the physician tended to quiet our apprehensions, and certainly to set aside the representations Mr. Pratt had made.

Was that opinion of Mr. Pratt communicated by the committee to Dr. Hutchison?—He was examined upon it, in consequence of receiving the letter, Dr. Hutchison was called for, and attended that committee.

The visitor of the prison himself inspected the wards, and saw the prisoners?—Yes.

And reported?—Yes; but I believe the notion of scurvy did not prevail until very late; until Dr. Roget and Dr. Latham found that great numbers were affected by it, no such suspicion had been entertained previous to that.

There had been a case of scurvy prior to the admission of Dr. Latham and Dr. Roget as physicians, had there not?—We had no idea that it prevailed to that extent.

Did the committee communicate to Dr. Hutchison the remarks which were made by the matron and the task-master, with respect to an alteration in the appearance of the prisoners?—He attended us in the committee at that time, and his answers certainly did not go to confirm Mr. Pratt's opinion.

The question referred to the communication of the opinion of the matron and the task-master; you say that you are not aware whether that was communicated, but that you think he must have known it; did the matron frequently communicate with the committee?—Frequently.

Did Mr. Bennett, the chaplain, ever communicate to you his opinions on the subject of the dietary?—Certainly he did in several instances, generally.

What were those opinions?—He did not view it in a favourable light, certainly.

Did he tell you what were his observations on the prisoners looks since they had been under him?—He only stated, in general, what his fears were respecting it; that he thought the diet might be sufficient, but he entertained great apprehensions; and we certainly thought the extreme dissatisfaction it would produce, had weighed a little with him.

Have you long known Mr. Bennett, the chaplain?—Ever since the establishment was formed; I had not the pleasure of knowing him previously to that.

What is your opinion as to the manner in which he executes the duties of that station?—I am very glad to be asked that question; I think he executes them in a manner entitling him to the public esteem, and that of every member of that institution in particular; his attentions are such as to have merited the approbation of all those who have witnessed what they were.

Have you ever seen him in company with the prisoners?—Frequently; I have been round with him when I have been visitor.

Have you ever made any observation as to the manner in which he has been received by the prisoners?—In a manner the most cordial possible, with the greatest appearance of respect and regard for him.

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Have you ever made any observation as to the manner in which the matron has been received by the females over whom she has charge?—I should think the same answer might apply to her; her attentions to them are such I am sure as to entitle her to the regard and confidence of the prisoners.

Are the Committee to understand that the committee of the Penitentiary act merely from gratuitous motives towards the public?—Certainly.

Do they, for their own convenience, delegate their authority to the person who is visitor for a month or six weeks, just as it may be convenient to the party to attend the Penitentiary?—There is always an appointed visitor, whose duty more immediately it may be to inspect the prison.

They do not do it by rotation, but take it according to convenience, and volunteer in order to relieve one another?—Yes.

When a visitor performs his office, does he go round daily or weekly, or how often does he go round the prison?—It is left very much to himself, and will depend very much on the time he may have at his command.

He keeps no stated time?—No; the best part of the day has been spent sometimes by gentlemen who have been visiting; Mr. Mellish has staid very often till eleven o'clock at night.

Their visit extends itself to every part of the prison, to its cleanliness, its order, its discipline, and all the arrangements connected with the due order, obedience, and well being of an establishment of that extensive nature?—Most certainly.

Are the Committee to understand, that the visitor has any thing to do with the medical appearance of any party at all; supposing that a female penitent, or a male penitent, was to state to the visitor that they were exceedingly ill, could he perform any one of those functions which a medical attendant has to perform, and would he not immediately send for the medical attendant in case of complaint?—Certainly he would.

He would have nothing to do with looking at any part of their bodies to see whether they had sea scurvy, or land scurvy, or fever, that is no part of his duty?—I should think not; he looks generally to every thing worthy of observation, and reports accordingly; there is no particularity which does not lie within the compass and scope of his report; he is to attend to every thing which comes under his observation during his visit.

A visitor, whether on a board day or otherwise, would naturally report, if he heard from any patient or any number of patients, that they were seriously indisposed, and they would call in the medical superintendent, whether Dr. Hutchison or Mr. Pratt, to report why he had not reported those very cases the visitor himself had heard?—I conceive they would consider that as their duty, if any thing of that kind occurred; it was not till the actual inspection took place under the eye and management of two physicians who had been recently called in, that we were aware that this disease existed; for so late as the time I alluded to, when the change was made to the gruel, the answer was, that there were only persons ill of common diarrhœas, only two persons considered as dangerous, and those old disorders.

You have spoken of the conduct of the chaplain and the matron; what was the conduct of Dr. Hutchison towards the patients?—I am happy to have that question put to me; I never for a moment doubted that he paid the best attention in his power, and that the attention of a man thoroughly competent to discharge the duties of his office; we had the highest opinion of Dr. Hutchison.

Did you ever observe how he was received by the patients?—I never was with him in any one instance.

You, as one of the committee, were perfectly satisfied with his general conduct and treatment of the patients?—I never heard any thing to the contrary.

Did you ever hear of any want of kindness or want of attention to any of the patients?—Generally, I may say, I certainly did not.

There was no serious alarm entertained in the minds of the committee, in regard to the appearance of the males until after Christmas?—Certainly not, until after Christmas.

Is it at the option of the visitor to go round as often or as seldom, and at what time he pleases, or are there a stated number of times he must visit during any certain period?—It is left to him to do it at his own convenience.

Does he state to the committee how often he has been round?—He makes a minute of every thing, his book is read every time the committee meets; on the 11th of January, when we met, we were unanimously, in consequence of the representation

sensation then made, induced to change the dietary in a degree; that was on the representation of the matron; previous to that, I do not recollect any serious suggestion of that kind.

That related to the female prisoners?—Yes, that they could not bear the soup.

Was that representation made by the matron to the committee, or through the visitor?—By the matron; the visitor made a report at the same time, he suggested the introduction of a biscuit, and we paused a good deal, whether we would adopt that recommendation or not.

Who was the visitor?—Mr. Courtenay.

You have mentioned the word scurvy; did you ever hear it represented as sea scurvy, as contra-distinguished from any other scurvy?—We never heard much upon that subject, and certainly nothing of the sea scurvy, until that examination had taken place, when the spots were discovered on the legs of the convicts, and that to such an extent; that was the first time I ever heard it represented to be a malady to that degree; we supposed it to be common dysentery; several cases of the same kind I have heard of in other instances; a nephew of mine, a surgeon of some eminence, assures me there are several cases of a similar kind now under his care; it is regarded as not a new species of disease, but certainly something which is not common.

Cases in common life?—One man, who was sent up from the country to the hospital to undergo an operation, but he was found affected with this disorder and died, and he was opened, and the same appearances were discovered which had occurred in the cases in the Penitentiary, the intestines spotted in the same way, precisely.

William Morton Pitt, Esq. a Member of the House, Examined.

HOW long have you been a member of the committee of the Penitentiary?—From the first.

At what time did you give in your resignation as a member of that committee?—In April last.

Were you a regular attendant on that committee?—Very generally, when I was in town.

Were you consulted on the subject of the adoption of the new diet in July last?—Yes, I was.

What opinion did you give upon that subject?—I think it would be but fair for me to say, that I was the original proposer of that dietary, I do not wish to shrink from that responsibility.

Upon what did you rest the recommendation of that dietary?—Upon the practice which had been adopted for fourteen years in the gaol of Dorchester, where I have been a visiting magistrate now nearly forty years.

What was the dietary in the gaol of Dorchester?—A pound and a half of bread, made of the whole produce of the wheat, without taking out any bran at all, water, and a quart of soup, either peas soup or barley broth, according to the convenience of those who provide the provision for the gaol.

Any meat?—There was some meat used in the making of the broth, but none distributed to the prisoners.

Are prisoners confined in Dorchester for long terms?—Seldom for more than two years.

Have you ever found, from experience, any difference in the health of those who were subjected to that diet who were confined for two years, and those for shorter periods?—We found no difference whatever.

Generally speaking, should you say that the health of the prisoners, on their discharge from prison, was better than when they came into it?—It was, and that for the period of fourteen years.

What steps did you take towards carrying that recommendation of your's into effect?—I recommended it originally upon the Dorsetshire practice, and as what had appeared to the magistrates in Dorsetshire to be an exceedingly salubrious diet; perhaps I should mention, that some years ago the flux prevailed very much in our gaol; in the year 1809 this new diet was introduced; in the whole period of time from the year 1809 to the year 1822, those two years inclusive, a period of fourteen years, during which we had 5,498 prisoners in the gaol, we had but three instances of flux; a short time before we introduced that diet, namely, in the year 1804, we had 221 prisoners confined, and 83 on the sick list, and of them 35 instances of flux; in the year 1805 we had 205 prisoners in confinement, 91 on the sick list,

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and 34 instances of flux; we attributed very much to the alteration of diet, the annihilation almost of that complaint.

What was the nature of the diet the prisoners had in Dorchester gaol antecedent to the one you are speaking of?—We began by giving meat to all prisoners who worked; by degrees most of the prisoners were brought into working in one way or another, so that it became almost general to allow them meat.

What quantity of meat?—I do not remember precisely.

Were they allowed to purchase provisions?—No; except those for trial, and debtors.

Any other drink but water?—Those who were employed in the manufacture which was carried on for some years in the prison were allowed some small beer.

What manufacture was that?—A manufacture of hats.

Did you consult the medical officers of the Penitentiary prior to the adoption of the new system of dietary?—I had several times conversations with Mr. Pratt upon the subject, and he was always very decidedly indeed against any alteration whatever; he seemed to consider the diet by no means too good for persons of that description; I also consulted Dr. Hutchison, he admitted that they were rather too well fed, and that some considerable diminution might, with propriety, be introduced, but he always said that he thought some solid meat would be necessary.

Did you state to him the dietary that had subsisted for so many years at Dorchester?—I did.

Did he object to the introduction of a dietary of that kind into the Penitentiary?—He always seemed to object to it.

The Committee are to understand, that the impression upon your mind was and is, that to the new dietary, as adopted by the committee, Dr. Hutchinson always objected?—I believe so.

Had you, in any conversation with him, reason to believe, that prior to its adoption, he had ever changed his original opinion, or that since its adoption he had come round to your's?—I remember urging to him, whether it might not be tried as an experiment, subject to his observation; and suggested whether, in case he found any detriment arise from it, it would not be time enough then to propose to give it up, but I never could induce him absolutely to say, "you may try the experiment with propriety." For my own justification, I wish to add, that I also went to Sir James M'Grigor, the day before he set out for Paris, and had some conversation with him; I stated the Dorsetshire practice to him, the impression upon my mind is, that he made no objection, and that he thought the experiment might be tried; I have not seen Sir James M'Grigor since, and should not therefore wish to state his opinion too decidedly, but observing that he has said nearly the same in his evidence, that puts an end to any delicacy upon this subject, and the impression on my mind is, that Sir James M'Grigor rather approved of the alteration, and if Dr. Hutchison did not express his objections more strongly latterly, I have rather imputed it to an inclination on his part to wait the result, and when he found it detrimental then to renew his objection, but he certainly never gave me reason to think that his objection was removed in any degree.

The Committee have understood you to say that Dr. Hutchison not only never gave his consent to the alteration of the dietary, but that he never gave his assent even to the propriety of admitting it to a trial?—That is my opinion.

As you state that this new dietary was made immediately under your own particular wish, in consequence of the benefits you had seen in Dorchester gaol, were experiments made on a limited scale in the first instance, or did it become the established practice throughout the whole Penitentiary at once?—I believe it was established at once.

Are you to be understood that the committee entirely agreed with you in the propriety of adopting this throughout the prison, and not merely one pentagon, or a certain number of prisoners, at first?—I left London before the alteration took place.

The Committee are to understand, that neither the committee nor individual members of it, made any remonstrance whatever against a trial of your Dorchester dietary, without having first tried it upon a limited scale?—I attended a meeting of the committee on the 24th of May last year, there were eight or nine members present, and all those gentlemen present with one exception, approved of the alteration; a week afterwards, on the 31st of May, I was also at the committee, but for a very short time; I do not believe I was in the room a quarter of an hour, it was just before I left London, I was very much hurried, and I do not recollect the passing
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of any resolution upon the subject; I understand there was a resolution passed upon that occasion, but I do not recollect being in the room at the time it passed. I considered that it was approved by those members who were then present, but I did not understand that the plan was absolutely adopted and voted. I have since heard, that it appears by the minutes of that day, that there was a question put upon it, and that it stands as adopted; in proof of that impression upon my mind, I mentioned to an honourable member of the Penitentiary committee now present (Mr. Holford), and also to one or two other members, that I hoped as I was going out of town, this matter would be followed up, and would be brought in such shape before the committee as to pass before Parliament separated for the summer; so little did I think it had absolutely passed. I received a letter from I believe two members of the Penitentiary committee, in the month of June, informing me that it was determined upon, and that it would take place early in July.

Had you consulted Dr. Hutchison, before you recommended an alteration of the dietary to the committee?—An alteration in the diet in the Penitentiary had been in agitation, I believe I may say for a twelvemonth, and had been brought forward at different times in a cursory manner, there had been frequent conversations upon it, but it was never brought really to a point till the last spring.

When you made the proposition, did you state to the committee that Dr. Hutchison dissented from it, and that he was of opinion that the dietary then recommended was not sufficient?—I did I believe more than once; but on the day to which I have alluded, the 24th of May, so strongly impressed was I with the idea that Dr. Hutchison would rather wave renewing his objection to it till it was actually tried, conceiving it to be very much the wish of the committee that an alteration should take place, I stated in very strong terms my hope that he would not object to the experiment; I believe the members of the committee rather misunderstood me, and conceived that I had actually said he had waived the objection, whereas all I meant was, that I hoped and expected that he would do so. I find that the gentlemen who were present then certainly did conceive that I had announced to them a complete acquiescence by Dr. Hutchison in the measure that was suggested; it is but fair that I should state that circumstance, both towards the committee and towards Dr. Hutchison; there was no retractation on the part of Dr. Hutchison, though the committee conceived he had really withdrawn his objection; I believe that to be the real state of the case.

Have you any means of employing the prisoners in hard labour in Dorchester gaol?—We have labour; my opinion is, that there is no such thing as *hard* labour in any prison.

Have you the tread mill?—Yes, but I do not conceive that to be *hard* labour.

Do you increase the diet to those prisoners who are employed in the mill?—We do not.

What has been your observation upon the appearance and state of health of the prisoners, compared with the time when they are admitted, and when they have gone out of the prison; taking a prisoner who has been two years in the gaol?—The greater part of them go out in a better state of health than they come in; almost invariably that is the case.

Can you state what quantity of meat there is in the quart of soup, which is given to the prisoners?—It is not nearly so rich as the Penitentiary soup, I have compared them.

Is there any solid meat in that soup?—None delivered out to the prisoners; it is completely boiled to rags, we use a digester and extract every substance possible from the bones; the meat is completely boiled to rags, and it is afterwards thrown away.

Do you allow any food of any description, to be introduced into your prison by persons visiting your prisoners?—Never to a convicted prisoner.

Will you state to the Committee what steps you took to ascertain the quantity of meat which you thought ought to be used in the soup, according to the new plan of dietary?—I considered it as a case in which the cooks could give me the best information; and I went, accompanied I think by Mr. Couch, the late governor, and by Mr. Rickford, the steward of the Penitentiary, to the cooks of the kitchen of the first and second pentagons; and I asked them what quantity of ox heads they conceived would be requisite to provide soup as good as that which had been previously in use for those pentagons, supposing them complete, that is, for 300 male prisoners: the cooks said, that they thought it would require four ox heads for 300 male prisoners. I then went to the cooks of the other male kitchen for the fifth and sixth

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pentagons, and put the same question to them in a very deliberate manner; the answer by the cooks of the second kitchen was, that two ox heads would be sufficient to provide equally good soup for 300 male prisoners. I then took the medium, at three ox heads.

One ox head for each 100 prisoners?—Yes. I then proceeded to the cooks of the female kitchen, and inquired of them what quantity of ox heads, supposing the female department to be completely full, 400 prisoners, would be necessary for their use; the cooks of that kitchen said they thought three ox heads would suffice for the 400 female prisoners, and as the women had only three-fourths of the food of the men, it was equal in proportion to three ox heads for 300 males. Combining upon the whole the opinions given by the several cooks, and taking the medium, it appeared that three ox heads would be sufficient for 300 males, or one ox head for 100 male prisoners; and I therefore recommended to the committee that that might be the rate, and a proportionate diminution with respect to the women.

Did Dr. Hutchison accompany you in those visits to the kitchens?—He did not.

Did you ever consult with him upon the propriety of having soup made for 100 persons out of an ox head?—I do not think I have specifically; I may, perhaps in conversation, have said something on the subject, but I do not recollect having done so.

Was the soup in the Dorchester gaol made from ox heads, or from other parts of the animal?—From other parts, the shins principally.

What description of prisoners are received into the Dorchester gaol?—Every description.

Do you make any difference in the diet with those persons who have been in the habit of living upon a higher diet, from those whose life is such as that they have lived upon a very low diet, before they were admitted?—We have but one diet in the gaol of Dorchester; debtors for instance, will generally maintain themselves; but if there is any debtor who is poor, and who cannot maintain himself, he petitions to have what is called the county allowance.

What is that allowance?—A pound and a half of bread and water, and the soup served out twice in the day, once in the morning early, and when they leave off work.

Have you ever found that this diet has had any prejudicial effect upon the debtors?—Never at all.

Has it on any class of persons who have been in the habit of living before they were received into prison, on a higher diet?—Never; some of the prisoners when the tread mill was first established, had thought it would be a good speculation, to ask for the indulgence of better food, and they said it would be such exceedingly hard work, it would be impossible to perform it unless they had better food; we told them it was a hopeless scheme of theirs, we were aware they could do very well upon that food, and therefore it would be useless for them to renew their complaints; there were three or four attempts made, and at last they gave it up, and it has been in use for a year and half, and for many months we have never heard a complaint on the subject; and they go on well, and in a very good state of health.

Did you ever find any individual in the Dorchester gaol who, before his admission to the prison had probably lived on a full diet, confined there for two years, or any great length of time, reduced in his health or in his appearance on going out of the gaol?—I never recollect any such instance, where it was attributed to that cause; a person might lose his health perhaps from some other cause, but I never knew it attributed to the diet, nor ever heard it urged by the prisoners.

Doctor Hutchison, in his letter of the 22d of March 1822, recommends one quart of broth to the males as now made, or with ox cheeks; in fixing the quantity of ox cheeks, did you mean, as far as the broth is concerned, to conform to that direction or to give more or less?—The question I put to the cooks was, what quantity of ox heads would make the soup as good and as rich as it had hitherto been, and they gave me the answer I have had the honour of stating to the Committee.

You meant to make the broth with the ox heads as strong as it had been previously to that with the meat?—Yes, I have been repeatedly told by several persons that the meat from the ox head was much more nutritious than from any other part of the animal, therefore I conceived it would be a benefit to the prisoner and not to his prejudice to make it of ox head rather than of other parts.

How frequently have you seen the prisoners in the Penitentiary, as a member of the committee, since the dietary was changed?—I have scarcely seen them at all, for I left

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I left London the first week in June of the last year, and I have scarcely attended since; I have been at the Penitentiary three or four times since, but I believe not in any of the pentagons; I have merely gone to the secretary's room to obtain a sight of certain papers which I wanted to see, relative to the accounts, and I confined myself entirely to that object.

Will you have the goodness to state your reason for declining to be a member of the committee?—I had for a great length of time found it inconvenient to attend; the distance was considerable, and being now advanced in life, I have been rather desirous of diminishing my labours than extending them further, and therefore for two years I have had it in contemplation to propose to retire from the committee; this time last year I was very near sending in my resignation, and was only induced to continue on the Committee in the hope of seeing the accounts of the present year completed; it has been my principal object at the Penitentiary, for the last two or three years, to see the accounts brought to the state of perfection to which I may say they are now brought; I always intended whenever that object was answered to retire.

Do you allude to the amount of the building, or the amount of expenses?—To the accounts of the current expenses.

When are they made up to?—To the end of the year; to the last day of the year.

What were the regulations in Dorchester gaol, in respect to air and exercise?—The work performed in the gaol at Dorchester, has always been in the open air; we have, as in every other gaol, found a very considerable difficulty, and very great loss, in attempting any thing of manufacture, and we have therefore, principally employed our people, when there has been any repair going on, as carpenters, bricklayers, plasterers or labourers, and in new pointing the boundary wall, also in a large garden, applied to the purpose of a nursery, within the precincts of the gaol, in which we employ those prisoners who may be trusted to go out of the walls of the prison; those who now work, are principally employed at the tread mill, and in the garden, employments which bring them out in the air; others who do not work, are either in the court yards, or in their day rooms, which open to the court yards, so that they also are constantly in air, and so far in exercise, that they may walk about the court yard the whole day.

Had, what was considered to be the treatment of Dr. Hutchison, any operation upon your mind, with regard to hastening your retirement from the committee of management?—I cannot say that it had, I came to town after Christmas with a determination then of resigning as soon as I had satisfied myself on the subject of the accounts; and I mentioned to several of my friends, that that was my determination.

Can you distinctly say, that had no one single operation upon your mind, with respect to your retirement?—I came to town the same week that Dr. Hutchison received the notice that the committee would proceed to his dismissal, if he did not make that step unnecessary by a previous resignation; the Saturday after my arrival in town that question was to be determined, and I resigned before that Saturday; I knew I should feel myself in a very unpleasant situation attending the committee on that day, and that may perhaps have accelerated by a few days only my decision.

Will you have the goodness to state distinctly what you consider to be the true question between Dr. Hutchison and the committee, that on the one hand they politely stated to him, that if he did not resign they would turn him out, and which made such an impression upon your feelings, that you yourself rather resigned than meet a question of that description?—Having been out of town during that period, I can hardly say myself what the whole of the grounds were; I understood that the tone of a letter of Dr. Hutchison's had not been considered as very pleasing by the committee, and that that was the reason assigned, as I have heard.

Can you recollect the diet in the Dorchester gaol before the year 1809?—The regular diet was a pound and a half of bread only; the meat and the small beer to certain prisoners was added in consideration of the prisoners doing certain kinds of work; when more men got into work we extended it, and at length it became the regular practice; about three days in a week they had meat, and the other days they had broth.

Those that did not work had actually only a pound and a half of bread a day and water?—For years they had only a pound and a half of bread a day and water, which was fixed on the recommendation of Mr. Howard himself.

Did not friends then give them food?—Those who had friends received food from those friends.

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And those who had money could buy?—Yes, as to persons before trial, but not as to those who were convicted; from the time that the strict regulations were drawn up and had the sanction of the judges, no convicted prisoner was allowed to receive any thing from friends, or to purchase it, but before those rules were drawn up and had the sanction of the judges, I am afraid we went on very irregularly in our prison, we had a very loose form of proceeding, and I believe prisoners of any description were then allowed to purchase provisions.

As the good order and discipline of great establishments depend upon the confidence of the officers therein, is it the general custom to turn off officers of establishments only for writing an displeasing letter to those who are their superiors, and sending a copy of such complaint to the secretary of state?—I really cannot take upon myself to answer that question.

The Reverend Archdeacon Pott, further Examined.

Rev.
Archdeacon Pott.

IS there any thing which you wish to add to the evidence, with which you have favoured the Committee?—Merely one remark; I believe in the course of my examination, I stated that the committee was but slenderly attended during the summer, from the mention of which, it might appear that we did not act with that promptitude in applying remedies we might otherwise have done; but that really was not the only circumstance that operated in my mind particularly, the disease at that time was not known to have a peculiar character, and there were a great number of sick at that time in my own parish; I had more than twice the usual number of sick, and twice the usual number of funerals, and therefore I was led to conceive it might be the influence of the season, particularly as there was no apparent character in the disease.

P. M. Roget, M. D. and *P. M. Latham*, M. D. delivered in the following Returns:

Prisoners under Medical treatment, May 23, 1823.

		Men.	Women.	Total.
Diarrhœa	Stationary - - -	63	46	109
	Better - - -	51	56	107
	Well - - -	64	47	111
Other Complaints	- - -	24	35	59
Total	- - -	202	184	386

Prisoners under Medical treatment, on the 11th of June 1823.

		Men.	Women.	Total.
Diarrhœa	Stationary - - -	73	35	108
	Improving - - -	86	38	124
	Well - - -	82	88	170
Other Complaints	- - -	24	28	52
Total	- - -	265	189	454

It appears by these returns you have just delivered in, that that there were 275 persons who were either stationary or convalescent on May 23d, and June the 11th, under the same heads, there were 284; do you still continue of opinion that the disease is breaking down in its violence?—*Doctor Latham*.—Unquestionably.

Spread over a larger surface, but not so intense in severity?—Just so.

In both those tables there is a return of well, in one amounting to 111, and in the other amounting to 170; are those persons returned well under medical treatment?—They are still under medical treatment; we conceive that they retain a proneness to relapse.

Are they under what you call medical treatment or medical watching?—The strictest medical watching, and under medical treatment as to what is properly called medicine.

Is it from that class just mentioned that those relapses take place, instances of which the Committee saw the day before yesterday, when they were in the establishment?—Undoubtedly; there are none but relapsed cases at present; there have been no new cases for a considerable time.

There are a certain number of persons reported here as well; is it from among those

those persons reported well that the cases of relapses occur?—For some time past, we have sent down no patients into the infirmary whatsoever; therefore, of course, it cannot be from that class that have been stated in these returns as well, that the relapses have taken place during the last fortnight; but the relapses have taken place from the prisoners who were ill when we first went round.

And who have been sent into the body of the Penitentiary, being considered as cured?—Yes.

Have you had many new cases recently of prisoners never before affected with the disease?—I do not think we have; we have very few, if any; I speak of the last week or fortnight.

When did the last case occur of new disease?—I cannot speak to that.

Within a few days?—I think not within a few days; I think not within a fortnight.

Has any patient died since Monday?—No.

How many patients do you consider now to be in a dangerous and critical state?—I think if I was to state eight cases that would be the outside.

Eight desperate cases?—I do not state them to be desperate cases, but cases that we are anxious about.

Was the prisoner who last died opened?—We could not obtain permission from the friends.

Those eight cases you mentioned, are cases of diarrhœa?—Yes; we consider ourselves as speaking to those cases.

Have you any thing to state that you would recommend to be done that has not already been done?—With respect to the discipline of the prison, nothing at all occurs to me over and above what has been done, that could be done, medically speaking.

To Dr. Roget.—Does any thing occur to you?—Nothing occurs to me.

[*The following Papers were delivered in, and read:*]

“Dietary of the House of Correction, at Cold Bath Fields.

“The old system of diet:

1 Pound of white bread,	} every day.
1 Pint of gruel,	
6 Ounces of beef, or	} alternate days.
a quart of soup,	

“July 16th 1821.—The diet was reduced for the felons and vagrants only, to a pound of white bread and a pint of gruel per day.

“June 1822.—When the mill began to work, the pound of white bread was changed to two pounds of brown.

“No alteration had hitherto been made with regard to the misdemeanors and other classes, except the felons and vagrants; and the prisoners friends were allowed to supply them with food as before.

“December 15th, 1822.—The diet of the whole prison was reduced to 1 $\frac{1}{2}$ lb. of white bread and 1 pint of gruel, or the soup the beef was boiled in on Sunday, on which day half a pound of beef (after being cooked) was allowed; and no food was allowed to be brought in, except for the state rooms.

“March 1st, 1823.—1 $\frac{1}{4}$ lb. white bread, 1 pint of gruel, and, on alternate days, 6 oz. of beef, or a pint of soup that the beef was boiled in, thickened with peas, oatmeal, and ox heads in proportion of one to 100 persons, excepting Saturday; and on that day, only 1 $\frac{1}{4}$ lb. of bread, and 2 pints of gruel.”

Lunæ, 16^a die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

John Henry Gell, Esq. called in; and Examined.

HAVE you brought with you the Inquisitions on the persons who have died at the Penitentiary since the 1st of January last?—I have.

[*The witness delivered in the same.*]

Have you the minutes of Evidence taken under those Inquisitions?—I have.

Dr. Roget
and
Dr. Latham.

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J. H. Gell,
Esq.

(June 16.)

[The witness delivered in the same:—The depositions and verdicts were read, as follows:]

City and Liberty
of Westminster,
in the County
of Middlesex.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of John Watson, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 8th day of January, in the third year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said John Watson, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his corporal oath deposeth:—"The deceased was tried on 28th February 1822, at Appleby in the county of Westmorland, and convicted of grand larceny, and sentenced to seven years transportation, which was commuted to five years imprisonment in this place; he was received here on the 1st of June 1822; he was then stated to be 30 years old, and in good health."
(signed) *J. Couch.*

John Pratt, surgeon to the said prison, on his oath deposeth:—"The deceased was removed into the infirmary, for the first time, on the 7th of June 1822, complaining of pain in the loins; he remained there until the 10th of the same month, when he was discharged; he was again admitted into the infirmary on the 2d of September, complaining then of a pain in his side, and sent again to the pentagon on the 6th as cured; he remained in good health until the 26th October, when he had a return of the same pains; he remained in the infirmary until the 11th November, when he had recovered; on the 7th December he was removed to the infirmary, complaining of pain in the loins and in the region of the heart, of which complaint he died on the 7th of January instant. He died from inflammation of the kidneys and the heart; he was attended daily by Dr. Hutchison and myself; the mark on his left side is from a blister."
(signed) *John Pratt.*

Samuel Bennett, clerk, A. M. chaplain to the General Penitentiary aforesaid, on his oath deposeth:—"I was in the habit of attending the deceased daily; on the 6th instant, in the morning, he sent to me, requesting I would administer the sacrament, as he considered himself seriously ill; I attended him accordingly; I was with him yesterday morning, when he was aware he should not live; he was perfectly sensible and resigned, his behaviour had been most exemplary; I was with him when he died, which was about a quarter past ten yesterday morning; at ten minutes before this event he requested me (after his death, which he said would be before night) to write to his wife, of whom and his children he spoke most affectionately."

VERDICT:—That the said John Watson, on the seventh day of January, in the year aforesaid, at the prison aforesaid, in the said liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Robert Ovendale, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 27th day of January, in the third year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Robert Ovendale, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath deposeth:—"The deceased was tried 11th April 1820, at Derby sessions, and convicted of poaching, for which he was sentenced to seven years transportation; this was commuted to five years imprisonment in this Penitentiary, where he was received on the 7th June 1820, from the Justitia hulk; he was then stated to be 22 years old, and in good health."
(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased was removed into the infirmary on the 2d of October last, complaining of pains in the

the chest, and cough; the lungs were very much inflamed, and it terminated in suppuration, which was the cause of his death; he died consumptive, on the 24th January instant. I do not remember that he had been a patient before the time I first mentioned. He was attended by Dr. Hutchison and myself, and every thing that could be thought of was done for him; when he was first admitted in the infirmary, his diet was milk and fish." (signed) *J. Pratt.*

VERDICT:—That the said Robert Ovendale, on the twenty-fourth day of January, in the year aforesaid, at the said prison in the said parish, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Peter Prest, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the fifteenth day of February, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Peter Prest, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

{ City and Liberty
of Westminster,
in the County
of Middlesex.

John Couch, governor of the said prison, on his oath deposeth:—"The deceased was tried on the 15th January 1822, at York, and convicted of poaching, and sentenced to seven years transportation, which was commuted to five years imprisonment in this Penitentiary, where we received him on 25th February 1822; he was then stated to be in good health, and of the age of 29 years; he was a married man and had three children; he behaved well during his confinement here."

(signed) *J. Couch.*

The Reverend *Samuel Bennett*, chaplain to the said prison, on his oath deposeth:—"The deceased has been here about a year. I perfectly recollect that soon after he was admitted, his mind was much affected on account of his family; he was not deranged, but seemed in a state approaching to despair; time got the better of it, and he appeared more reconciled to his situation; he was not at all dissatisfied with his treatment, but laid the blame entirely to himself; he lamented the state in which he had left his wife and family. He some time since applied for leave to attend the sacrament, and being satisfied with his conduct I admitted him, with other communicants at the chapel. In consequence of what he first said to me, as to his mind, and the situation to which he had brought his family, I more frequently spoke to him than I did to any other prisoner; nothing particular passed until about ten days or a fortnight ago, when he was admitted into the infirmary; yesterday morning a quarter before two, I was called up to him; he then seemed aware that his death was approaching, and requested I would administer the sacrament, which I did; he expressed himself much obliged to me, and I was well pleased with his behaviour; about half past nine I went up again, and as I reached the door, the turnkey informed me he had died that moment." (signed) *Sam^l Bennett.*

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased was removed into the infirmary on the 2d February last, with a violent purging and vomiting, which continued until a day prior to his death, and under which disease he gradually sunk; he had from fourteen to sixteen stools a day, besides constantly vomiting. He was attended by myself and Dr. Hutchison, and every thing possible for his good was done; we had very little hopes from his being admitted on the 2d instant into the infirmary; I saw him three and four times a day; I visited him at eleven o'clock at night, and at two in the morning; he died at half past nine yesterday morning, of diarrhœa, which is a disease of that nature, that the lustiest person with it would be reduced to a mere skeleton in a few days. He had never been in the infirmary before. (signed) *John Pratt.*

John Hill, late of Royston in Cambridgeshire, a prisoner, on his oath deposeth:—"I am a wardman of the infirmary of this prison. The deceased came into the infirmary last Sunday week, and I attended him since. I never heard him complain of having wanted provisions; when he was in the infirmary he had wine, fish, milk, as much as was proper; he was denied nothing, and the doctor told him he might have what he liked." (signed) *J. Hill.*

Francis Goodson, of Westmill near Buntingford, Herts, being sworn, corroborated the above of Hill's.

VERDICT :—That the said Peter Prest, on the-fourteenth day of February, in the year aforesaid, at the prison aforesaid, in the said city or liberty, in the county aforesaid, departed this life in a natural way by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Mary Ann Davison, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 18th day of February, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Mary Ann Davison, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath deposeth :—"The deceased was tried at Newington, Surrey, on 29th May 1820, and convicted of stealing a watch; for which she was sentenced to seven years transportation, which was commuted to five years confinement in this Penitentiary; where she was received on the 3d June 1820 from Horsemonger-lane; she was then stated to be fifteen years old, and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth :—"The deceased's health continued very good until Dec. 30, 1822; she had not, prior to that time, been once in the infirmary. On 30th December aforesaid, she was removed to the infirmary, complaining of languor and irritation of heart and lungs, and which continued increasing until expectoration took place, when she became consumptive (gradually wasting away;) and she died on the 17th of this month of that disease, 'consumption.' Every thing was done that could be thought of for her good, by Doctor Hutchison and myself. She was frequently visited by her grand-father and grand-mother; their last visit, when she was alive, was on last Saturday. She died on five o'clock yesterday morning; I had seen at three."

(signed) *John Pratt.*

The prisoner stole the watch from her mother-in-law, and her father prosecuted.

VERDICT :—That the said Mary Ann Davison, on the 17th day of February, in the year aforesaid, at the said prison, in the said liberty in the county aforesaid, departed this life in a natural way, by the visitation of God, and not otherwise.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Mary Esp, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 20th day of February, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Mary Esp, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath deposeth :—"The deceased was tried in Shropshire, on 21st March 1821, and convicted of grand larceny, for which she was sentenced to seven years transportation, which punishment was commuted to five years confinement in this Penitentiary; where she was received on 5th June 1821. She was then stated to be 21 years old, and in good health; she then had marks on her neck and knee."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth :—"The deceased was removed to the infirmary on 9th February instant, afflicted with a cough and diarrhœa; she had scrophulous abscesses in her neck, which were there before she came here; she had been several times in the infirmary with sores before her last admission on the 9th instant. She appeared to be doing very well until yesterday morning about seven o'clock, when hæmorrhage took place from the glands of the neck; and I suspect that an abscess had formed in her chest, which had burst, and which was the cause of her death. She had been attended by myself and Doctor Hutchison; and every thing had been done for her for her good."

(signed) *J. Pratt.*

VERDICT :

VERDICT :—That the said Mary Esp, on the 10th day of February, in the year aforesaid, at the said prison, in the said parish, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

INFORMATIONS of witnesses, taken this 25th February 1823, at the Penitentiary, Milbank, parish of Saint John the Evangelist, on William Condwell, aged about thirty years, a prisoner in the Penitentiary. { City and Liberty of Westminster, in the County of Middlesex.

John Couch, governor of the Penitentiary aforesaid, being sworn, saith : —“ That the deceased, William Condwell, was tried at Preston, 13th January 1820, found guilty of stealing poultry, and sentenced to be transported for seven years, and which was commuted to five years imprisonment here ; he was received here on the 7th June 1820, from the *Justitia* hulk ; he was in good health when he was received here.”

(signed) *John Couch.*

John Pratt, Surgeon of the Penitentiary, being sworn, saith : —“ That the health of the deceased was pretty good till 3d July last, when he was removed into the infirmary, with an attack of fever ; from that time till 3d September, he was under my care ; he quite recovered, and was removed back to his pentagon ; he continued very well till 29th December last, when he was again removed to the infirmary, labouring under a degree of languor and low spirits ; in a week he was returned well to his pentagon ; on 5th January last he was again removed to the infirmary, afflicted with a diarrhœa and dropsy in the chest, that gradually increased till 23d February, when he died of that complaint ; he was attended by me three or four times a day, and by Dr. Hutchison three times a week ; during his confinement, he had every proper nourishment, wine, beer, fish, &c. I have full power to order for all persons, while in the infirmary, whatever I judge proper ; every thing was done that could be ; I do not think that the food of the prisoners would bring on dropsy ; in my opinion, it is sufficient to keep them in health.”

(signed) *John Pratt.*

VERDICT :—We are of opinion, that the deceased died a natural death, by the visitation of God ; but in our opinion, so many prisoners would not die if they were allowed a small portion of meat ; and it is our wish and desire, that this our opinion should be communicated by the coroner to the directors of the Penitentiary, in the hope that they will take some steps to obtain a small allowance of meat to the prisoners generally.

(signed) *J. Stent*, Foreman,

On behalf of the Jury on W. Condwell.

To be sent to the Superintending Committee of the General Penitentiary.

INFORMATIONS of witnesses, taken this 25th February 1823, at the General Penitentiary on Milbank, in the parish of Saint John, on the body of Humphrey Adams, aged about 34 years. { City and Liberty of Westminster, in the County of Middlesex.

John Couch, esq. of the said Penitentiary, being sworn, saith : —“ That the deceased, Humphrey Adams, was tried at Bedford, on 14th March 1821, and found guilty of grand larceny ; sentenced to seven years transportation, which was commuted to five years imprisonment here ; he was received here on the 1st June 1821, from the *Justitia* hulk, and he was then in good health.”

(signed) *J. Couch.*

John Pratt, surgeon of the Penitentiary aforesaid, being sworn, saith : —“ That deceased was removed into the infirmary in February last, afflicted with diarrhœa, of which disease he died. I attended him twice each day, and he was also attended by Dr. Hutchison three times a week ; he had as many as twelve or fourteen motions a day ; every thing was done for him that could possibly be ; he died 24th February ; he had wine, sago, milk, &c. indeed every thing I considered proper for him, which I can order to all sick prisoners without control.”

(signed) *John Pratt.*

VERDICT :—Natural death, with the same observation as in the case of Condwell. The said Humphrey Adams, on the 24th day of February, in the year aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God, in a natural way, and not otherwise.

INFORMATIONS of witnesses, severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Margaret Patterson, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the

said liberty, in the county aforesaid, on the 28th day of February, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Margaret Patterson, then in the said parish in the said liberty, in the said county, lying dead, as follows: (to wit)

John Couch, governor of the said prison, on his corporal oath, deposeth:—"The deceased was tried at the Old Bailey on 21st April 1819, and convicted of stealing in a dwelling house, for which she was sentenced to transportation for life, which was commuted to ten years confinement in this prison, where she was received on 18th April 1820; she was then stated to be nineteen years old and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased was removed to the infirmary on the 12th January last, with diarrhœa, which disease continued to the time of her death; and during which time she had ten or a dozen motions day and night; she was attended by Dr. Hutchison and myself, and every thing was done that we could think of for her recovery; she died this morning about six o'clock, I had seen her at two; we had for the last fortnight every hour expected her death; 150 patients had been admitted into the infirmary during the month of January, but not one died that month; the deceased had very seldom been in the infirmary before, but had enjoyed good health."

(signed) *John Pratt.*

VERDICT:—That the said Margaret Patterson, on the said twenty-eighth day of February in the year aforesaid, at the parish aforesaid, in the said city or liberty in the county aforesaid, departed this life in a natural way by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Henry Jew, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of St. John the Evangelist, in the said liberty, in the said county aforesaid, on the 8th day of March, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Henry Jew, then in the said parish, in the said liberty, in the county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath deposeth:—"The deceased was tried at the Old Bailey, 6th December 1821, and convicted of embezzling 2s. 6d. the property of his master, for which he was sentenced to seven years transportation, which was commuted to five years confinement in this Penitentiary, where he was received on the 13th March 1822; he was then stated to be forty-six years of age and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased's health was very good until the 11th of last month, when he was seized with diarrhœa, which continued to the time of his death, which was a quarter before seven o'clock this morning; he was attended by Dr. Hutchison and myself, from the commencement of his disease, and for the last week by Dr. Roget and Dr. Latham, physicians, and every thing we could think of for the deceased's good was done for him."

(signed) *John Pratt.*

VERDICT:—That the said Henry Jew, on the said 8th day of March aforesaid, at the said prison in the said parish, in the said city or liberty and county aforesaid, departed this life in a natural way by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses taken this 10th March 1823, at the General Penitentiary on Milbank, in the parish of St. John the Evangelist, on Robert Dyer, aged thirty-one years.

Jordison White, master manufacturer of the General Penitentiary on Milbank, being sworn, saith:—"That the deceased, Robert Dyer, was tried on 10th July 1820, at Bridgewater, and found guilty of stealing from his master, and sentenced to seven years transportation, and which was commuted to five years confinement here; he was received in the Penitentiary from the Justitia hulk on the 9th November 1820."

(signed) *Jordison White.*

John Pratt, surgeon of the aforesaid Penitentiary, being sworn, saith :—" That the deceased was removed into the infirmary on 15th of February last, complaining of nausea and pain in the chest, which continued, and he likewise had frequent fits of violent spasms or cramp in the stomach ; he was attended by myself and Doctor Hutchison at the beginning, and the last week by Doctors Latham and Roget ; he died last Saturday the 8th March : we suspect there must have been an effusion of blood on the head and chest, which caused his death ; he had every thing done for him that could be, he was bled and blistered frequently."

(signed) *J. Pratt.*

VERDICT :—That the said Robert Dyer, on the 8th day of March in the year aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God in a natural way, and not otherwise.

INFORMATIONS of witnesses, taken this 10th March 1823, at the General Penitentiary on Milbank, in the parish of St. John the Evangelist, on Thomas Read, aged twenty years.

{ City and Liberty
of Westminster,
in the County
of Middlesex.

Jordison White, master manufacturer of this Penitentiary, being sworn, saith :—" That I attend this day, by reason of the illness of the governor ; that the deceased, Thomas Read, was tried on 14th February 1816, at the Old Bailey, and found guilty of felony, and sentenced to fourteen years transportation, and which was commuted to seven years confinement here ; he was received here 11th February 1817 from Newgate."

(signed) *J. White.*

John Pratt, surgeon of the General Penitentiary on Milbank, being sworn, saith :—" That the deceased was removed to the infirmary on 6th February last, complaining of rheumatic pain in his loins, and which was followed by dropsy ; he was attended at the beginning by myself and Dr. Hutchison, and the last week by Drs. Latham and Roget ; yesterday afternoon, about four, they saw him, when he appeared somewhat better ; I saw him about six last evening, and I was sent for about eight ; we think there was an effusion of water upon the chest, which caused that sudden death ; every thing was done that his case admitted of ; a variety of causes will bring on dropsy ; I do not think that, in this case, it was produced by lowness of living ; each prisoner has now four ounces of meat, and three oranges, in addition to their former allowance."

(signed) *J. Pratt.*

VERDICT :—That the said Thomas Read, on the 9th day of March in the year aforesaid, at the parish and in the liberty aforesaid, died suddenly, by the visitation of God, and not otherwise.

INFORMATIONS of witnesses, taken this 10th March 1823, at the General Penitentiary on Milbank, in the parish of St. John the Evangelist, on James Jones, aged twenty-nine years.

{ City and Liberty
of Westminster,
in the County
of Middlesex.

Jordison White, master manufacturer of this Penitentiary, being sworn, saith :—" That I attend here this day in consequence of the illness of the governor ; that the deceased, James Jones, was tried on 10th January 1821, at the quarter sessions at Stafford, and found guilty of grand larceny, and sentenced to seven years transportation, which was commuted to five years confinement here ; he was received in the Penitentiary on the 17th August 1821, from the *Justitia* hulk."

(signed) *J. White.*

John Pratt, surgeon of the General Penitentiary at Milbank aforesaid, being sworn, saith :—" That the deceased was removed to the infirmary on the 18th of last February ; he was afflicted with a violent purging ; he had as many as fifteen motions a day ; this continued till last and he died about one this day ; he was attended by myself and Dr. Hutchison at the commencement, and by Drs. Latham and Roget for the last week ; he had every thing done that could possibly be, and latterly, when I judged it proper, he had a pint of wine ; he died of this disorder."

(signed) *John Pratt.*

VERDICT :—That the said James Jones, on the said 10th day of March aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God, in a natural way, and not otherwise.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Ann Collins, at the prison called or known by the name of the General Penitentiary, situate in Milbank,

{ City and Liberty
of Westminster,
in the County
of Middlesex.

Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 13th day of March, in the 4th year of the reign of our Sovereign Lord the King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken, on a view of the body of the said Ann Collins, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

John Couch, governor of the said prison, on his oath, deposeth :—" The deceased was tried at Lancaster, on 23d August 1820, for having in her possession forged bank notes of the Bank of England, of which she was convicted, and sentenced to fourteen years transportation, which was commuted to seven years imprisonment in the Penitentiary; she was received here on 2d November 1820; she was then in good health, and then stated herself to be 45 years old."

(signed) *John Couch.*

John Pratt, surgeon to the said prison, on his oath, deposeth :—" The deceased was removed to the infirmary on 7th February last, complaining of pains in her chest and inflammation of the lungs, which disease was the cause of her death; she died this morning about eight o'clock; she was attended by Dr. Hutchison and myself in the beginning of her disease, and for the last ten days by us and Drs. Roget and Latham; for the last fortnight we had no hopes of her recovery."

(signed) *J. Pratt.*

VERDICT :—That the said Ann Collins on the said 13th day of March, in the year aforesaid, at the prison aforesaid, in the said parish, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Ann James, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 17th day of March, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken, on view of the body of the said Ann James, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

John Pratt, surgeon of the said prison, on his oath, deposeth :—" The deceased was removed to the infirmary on 10th February last, complaining of nausea and headache and pain at her stomach; she seemed to mend for a few days, when jaundice took place, which was the cause of her death; she died yesterday; she was attended all the time by Dr. Hutchison and myself, and by us and Dr. Roget and Dr. Latham for the last fortnight; she was in the infirmary several times before, viz. from 17th April 1821, with inflammation of her chest, to 18 June 1821; again, from 28th June to 16th July 1821, and from 12th February 1822 to the 18th February 1822, and from 26th to 28th January 1823, with attacks of inflammation of the lungs. The diet the prisoner partook of was not the occasion of her illness or death."

(signed) *John Pratt.*

John Couch, governor of the prison, on his oath deposeth :—" The deceased was tried at Maidstone on 2d of August 1819, and convicted of robbing her lodgings, for which she was sentenced to seven years transportation, which was commuted to five years confinement in this prison; she was received here 1st of September 1819; she was then stated to be eighteen years old and in good health; the women's dietary for each person daily was 1½lb. bread, gruel, a pint at night and a pint per morning, ox head soup, one pint at dinner; this was the reduced dietary, and was the prison allowance from July to the time she was last admitted into the infirmary."

VERDICT :—That the said Ann James, on the sixteenth day of March, in the year aforesaid, at the parish aforesaid, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Thomas Peter Mansfield, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 24th day of March, in the fourth year of

of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Thomas Peter Mansfield, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

John Couch, governor of the said prison, on his oath deposeth :—" The deceased was tried at the Old Bailey on 15th of January 1817, and convicted of felony, for which he was sentenced to be transported for his life, which was commuted to ten years imprisonment in this Penitentiary ; where he was received on 18th February 1817, he was then stated to be 16 years old, and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth,—" The deceased was removed to the infirmary on the 3d March instant, with violent pains in his head, which terminated in apoplexy, and caused his death on the 22d March ; he had been frequently in the infirmary for fits, to which he had been subject ; he was in the infirmary on account of fits, in August and September 1821, and December following, and in January 1822 he was there for a week ; in April last he was there for a week ; in August he was up for five days, and in January last for six days for fits ; he was attended by Doctor Hutchison and myself, and by Doctors Roget and Latham ; the apoplexy ensued from a natural cause."

(signed) *John Pratt.*

VERDICT :—That the said Thomas Peter Mansfield, on the twenty-second day of March, in the year aforesaid, in the said prison, at the parish aforesaid, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God ; to wit, in and by a fit of apoplexy.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Harriet Church, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in county aforesaid, on the 24th day of March, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Harriet Church, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

{ City and Liberty
of Westminster,
in the County
of Middlesex.

John Couch, governor of the said prison, on his oath deposeth :—" The deceased was tried at Winchester assizes, on 2d March 1818, and convicted of house-breaking, for which she was sentenced to seven years transportation, which was commuted to five years imprisonment in this Penitentiary, where she was received on 23d June 1820 ; she was then stated to be 23 years old, and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth :—" The deceased was removed to the infirmary on the 1st February last, complaining of head-ache and loss of sight, and which continued for several days, and had the appearance as if an effusion of water had taken place in the head ; she got somewhat better, when she appeared to be in a deranged state, so much so, that an application was intended to be made to the secretary of state to have her removed to Bedlam ; about a week prior to her death she appeared to be dying, and I sent for Dr. Hutchison to come immediately ; he came, but the deceased had then recovered from a fit, which I considered was mortal, and until yesterday she appeared much better. I was sent to her at five yesterday morning and found her dying ; she died about seven that morning. She had several times been in the infirmary before for violent head-aches, viz. in September 1821, September 1822, and in January 1823 ; some effusion of blood in the head or heart, but most probably the head, caused her death ; she was attended by Drs. Hutchison, Roget and Latham, and myself."

(signed) *John Pratt.*

VERDICT :—That the said Harriet Church, on the twenty-third day of March, in the year aforesaid, in the said prison, at the said parish, in the said city or liberty and county aforesaid, departed this life in a natural way, by the visitation of God.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of John Guest, at the prison called or known by the name of the General Penitentiary, situate in

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Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 27th day of March, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said John Guest, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

Benjamin Chapman, governor of the said prison, on his oath, deposeth :—“ The deceased was tried at the Old Bailey, on 12th September 1821, and convicted of stealing a piece of bacon, valued at sixpence, and a basket valued sixpence, for which he was sentenced to seven years transportation, which was commuted to five years confinement in this Penitentiary ; he was received here on the 7th December 1821 ; he was then stated to be 22 years old, and in good health ; all the foregoing appears by the entry in the prison register, and not from my own observation, as I only commenced my duties as governor yesterday.”

(signed) *Benjamin Chapman*, governor.

John Pratt, surgeon to the said prison, on his corporal oath, deposeth :—“ The deceased was removed into the infirmary on the 21st of February last, with scrophulous swelling or tumor under the knee ; he had been subject to scrophula ever since he was two years old, (as he informed me) ; there were swellings in his neck which had broke, and his legs had scrophulous ulcers ; he has been in the infirmary frequently before for the said complaints ; he appeared to be doing well ; on the same night he died, I am informed he ate his supper very heartily, and was in good spirits ; I was sent for to him a little after twelve at midnight, between the 25th and 26th instant, he was then dead ; he was in the infirmary, in a room with six or eight other prisoners ; there was no mark of violence ; for the last fortnight he was attended by myself, Doctors Hutchison, Roget and Latham ; we suspect he died from the rupture of some blood vessel in the lungs, which must have been caused by some scrophulous swellings in the lungs.”

J^r Pratt.

John Hill, late of Royston, Cambridgeshire, a convict confined in the said prison, on his oath deposeth :—“ The deceased had been in the infirmary about a month ; he kept his bed for the last ten days, being very weak on account of the sores of his leg ; there was a great discharge there, and also from his neck ; the night before last about eight o'clock I gave him his medicine, he then seemed quite cheerful, that was the last time I saw him alive, but I heard him conversing with the prisoners for three quarters of an hour after ; we had no thoughts of his being in danger ; I went to bed about nine o'clock, in the same room with the deceased ; I never heard him after ; a light was in the room ; about twelve o'clock I went to give the patients medicine, the deceased was in bed, the clothes were over his body, but his head was uncovered, and his arms out ; he was dead, but not quite cold ; I called the turnkey ; the deceased was on good terms with all the other prisoners in the ward ; when patients are considered dangerously ill, some one sits up all night.”

(signed) *J. Hill.*

VERDICT :—That the said John Guest, on the 25th day of March in the year aforesaid, at the said prison, in the said parish, in the said liberty, in the county aforesaid, departed this life in a natural way by the visitation of God ; to wit, in and by the rupture of a blood vessel in the lungs.

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INFORMATIONS of witnesses taken this 29th day of March 1823, at the Penitentiary on Milbank, in the parish of St. John, on Frances Allcock, a prisoner.

Benjamin Chapman, governor of the Penitentiary, being sworn, saith :—“ That the deceased was tried at Shrewsbury, on 17th March 1819, for housebreaking, and found guilty, and sentenced to be transported for life, and which was commuted for ten years imprisonment here ; she was received here on 24th December 1821, from the Justitia hulk.”

(signed) *B. Chapman.*

John Pratt, surgeon of the Penitentiary, being sworn, saith :—“ That the deceased was removed to the infirmary on the 9th March instant, with diarrhœa, which continued till the 28th instant, when she died of that complaint ; she had been frequently in the infirmary before, on the 4th June last to the 16th September, of the same complaint ; and again on 3d October to the 11th, with inflammation on her lungs ; and also on 26th November to the 5th December, of diarrhœa ; and again on 7th December to the 3d January 1823, of the same complaint ; she continued very well till 9th March, as above stated. She was attended daily by myself, and

and Doctors Hutchison, Roget and Latham ; every thing was done that could be for her ; she had fish, mutton, beef tea, bread puddings, sago, wine and brandy, in such quantities as I thought necessary for her ; I have power to give all these without reference to any person, to prisoners in the infirmary ; the deceased had some days as much as half a pint of brandy, and other times a pint."

(signed) *Jⁿ Pratt.*

VERDICT :—That the said Frances Allcock, on the 28th day of March in the year aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God in a natural way, and not otherwise.

INFORMATIONS of witnesses taken this 2d April 1823, at the General Penitentiary, Milbank, parish of St. John the Evangelist, on Wilson Bragg.

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Benjamin Chapman, governor of the Penitentiary, being sworn, saith :—" That the deceased was tried at the Old Bailey on 6th December 1820, and found guilty of stealing a coat, and was sentenced to seven years transportation, and which was commuted to five years confinement here ; he was received here on 6th January 1821, from Newgate ; he was better than thirty-two years old."

(signed) *Benjamin Chapman*, governor.

John Pratt, surgeon of the General Penitentiary, being sworn, saith :—" That the deceased was removed to the infirmary on 28th February last, of diarrhoea, and which continued till 31st of March, on which day he died at half past two ; he was attended daily by myself, and Drs. Hutchison, Roget, and Latham, and every means were made use of for his recovery ; he was in the infirmary ten days in October last, of nausea and head-ach, and likewise from 30th November to 4th December, of same complaint ; he had bread and rice puddings, and beef tea, veal, sago, eggs, wine, and brandy, and he took all these things to the time of his death ; had he been a patient of mine, not a prisoner, I should not otherwise have ordered for him than I have done here."

(signed) *J. Pratt.*

VERDICT :—That the said Wilson Bragg, on the 31st day of March in the year aforesaid, at the parish and in the liberty aforesaid, died, by the visitation of God, in a natural way, and not otherwise.

INFORMATIONS of witnesses, taken this 15th April 1823, at the General Penitentiary, Milbank, in the parish of St. John the Evangelist, on view of the body of Louisa Comforth, aged twenty-six years.

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B. Chapman, governor of the prison, being sworn, saith :—" That the deceased was tried at Warwick, on 18th August 1821, and found guilty of felony, sentenced to transportation for life, and which was commuted, under the Act, to ten years confinement here ; she was received on 26th November 1821."

(signed) *B. Chapman*, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith :—" That the deceased was removed to the infirmary on the 25th of January 1823, with violent spasms in her stomach and bowels, and which continued more or less until the 14th April last, when she died, and which were the cause of her death ; she was attended at the beginning by Dr. Hutchison, and, for last six weeks, by Drs. Roget and Latham, and by myself three or four times a day during the whole ; and every thing was done that could be thought of ; she took considerable nourishment, and, from her violent and constant pain, it would fail to have the same effect as with prisoners in a better state of health."

(signed) *John Pratt.*

VERDICT :—That Louisa Comforth, on the 14th day of April, in the year aforesaid, at the parish and in the liberty aforesaid, died, by the visitation of God, in a natural way, and not otherwise.

INFORMATIONS of witnesses, taken this 15th April 1823, at the General Penitentiary, Milbank, parish of St. John, on Catherine Mooney, aged fifteen years.

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B. Chapman, governor of the Penitentiary, being sworn, saith :—" That she was tried on 1st March 1819, at Horsemonger-lane and found guilty of felony, and sentenced to seven years transportation, and commuted under the Act to five years confinement here. She was received here on 25th March 1819."

(signed) *B. Chapman*, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith :—" That the deceased was removed to the infirmary on 1st May 1822, with a scrophulous affection

of the neck, which has discharged a considerable deal of matter from the said time until the 14th April instant, when she died, and of that disease, which had affected her lungs. She was attended by Doctor Hutchison at the beginning, and for the last six weeks by Doctors Roget and Latham. I attended her daily the whole of the time; and every means was made use of for her recovery, and she had every thing that I thought necessary. She was in the infirmary in December 1821 for the same complaint." (signed) *J. Pratt.*

VERDICT:—That the said Catherine Mooney, on the 14th day of April in the year aforesaid, at the parish and in the liberty aforesaid, died, by the visitation of God, in a natural way, and not otherwise.

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INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Ann Martin, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 21st day of April, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on view of the body of the said Ann Martin, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

Benjamin Chapman, governor of the said Penitentiary, on his oath, deposeth:—"The deceased was tried at the Old Bailey on the 26th September 1819, and convicted of stealing lace; for which she was sentenced to seven years transportation, which punishment was commuted to five years confinement in this Penitentiary; where she was received on 29th October 1819. She was then stated to be 21 years old, and in good health." (signed) *Benjamin Chapman*, governor.

John Pratt, surgeon to the said prison, on his oath, deposeth:—"The deceased was removed to the infirmary on 19th January 1823, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased, and she became paralyzed; her stools and urine passed involuntarily: large ulcerations took place upon both hips, and erysipelas inflammation took place on the right thigh, which mortified and caused her death. Her sister, also is a prisoner, has informed me, that the deceased for about two years prior to her being in this prison, had lost the use of her legs. She was distorted in her spine, which must have brought on the disease of which she died. She was attended by Doctors Hutchison, Roget, and Latham (as well as by myself), and by Surgeon White. She died yesterday morning." (signed) *J. Pratt.*

Sarah Martin, late of the parish of St. Giles, Middlesex, and now a prisoner in this Penitentiary, on her oath, deposeth:—"The deceased was my sister; she was first taken ill with a cold in November last; she wrote for the doctor to admit her into the infirmary, where she was admitted three days after; she was soon after removed to the pentagon; she was again admitted into the infirmary in January; I was not allowed to remain with her until the 24th March; she became unwell soon after the short allowance was regulated, and was very indisposed at times until she was finally admitted into the infirmary; the diet affected her inside (as it did mine and also others); since the full allowance of victuals, there has been no reduction of it; the deceased hurt her back when she was about six years old, but when she recovered from that, which was about two years after, she continued in good health until the time before mentioned, when she was in this prison, and the short diet commenced; her illness was brought on through want, as she could not eat the victuals allowed her, and could not procure other victuals; she tried to eat the said victuals, but could not; she ate the soup as long as she could, but was unable afterwards to take it; this the people of the prison knew; as to the bread, she would not eat an ounce in three days, and the soup she could take none of it for weeks before she was admitted into the infirmary; the gruel was three-fourths of a pint once a day; the greatest part of this she drank; she had water allowed her." (signed) *Sarah Martin.*

Benjamin Chapman, the governor, called in, and further deposeth:—"According to the prison register, Sarah Martin (the prisoner examined), came here for receiving stolen goods. It is entered, that her character was good previously to her committing the said crime, and she has conducted herself perfectly well since her confinement here." (signed) *B. Chapman*, governor.

John

John Pratt, surgeon, called in, and further deposeth :—" The deceased was not admitted into the infirmary until January last."

(signed) *John Pratt.*

VERDICT :—That Ann Martin, between July last and January last, became unwell and disordered in her body, occasioned by the short allowance and the quality of the provisions given her in the said prison ; that on the 19th day of January last she was removed into the infirmary thereof, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased, and she became paralyzed ; her stools and urine passed involuntarily, large ulcerations took place upon the hips, and erysipelas inflammation took place on the right thigh, which mortified and caused her death, which took place in the said prison, in the parish aforesaid, in the said city or liberty, and county aforesaid, on the 20th day of April, in the year aforesaid.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Jane M'Vickers, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 21st day of April, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on view of the body of the said Jane M'Vickers, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

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Benjamin Chapman, governor the said prison, on his corporal oath, deposeth :—" The deceased was tried at Kingston in Surrey, on 23d March 1820, and convicted of highway robbery, for which she was sentenced to seven years transportation, which was commuted to five years imprisonment in this Penitentiary, where she was received on 8th May 1820 ; she was then stated to be thirteen years old and in good health."

(signed) *Benjⁿ Chapman*, governor.

John Pratt, surgeon of the said prison, on his corporal oath, deposeth :—" The deceased was removed into the infirmary on 9th December last, with inflammation on her lungs and violent cough, and which terminated in consumption, of which she died on Saturday last ; she had been subject to scrophulous complaints, which I have no doubt affected her lungs, and brought on the decline ; she has been in the infirmary ever since December last."

(signed) *J. Pratt.*

VERDICT :—That the said Jane M'Vickers, on the 19th day of April in the year aforesaid, at the parish aforesaid, in the said city and liberty in the county aforesaid, departed this life in a natural way by the visitation of God, (to wit) by consumption of the lungs.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Thomas Brown, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 25th day of April, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Thomas Brown, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

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Doctor *P. Mere Latham*, of 3, Gower-street, Bedford-square, on his oath deposeth :—" I, together with Doctor Roget, have been in daily attendance on the deceased, since the first of March last, during which time he has been in the infirmary ; he had at times, severe pain in his head, continually hurried and laborious breathing, and a very hurried and irregular circulation, and occasional attack of fever ; there was something strange in his aspect, which indicated great suffering, so much so, as to induce me to anticipate an evil result of his disorder at a very early period of my visiting him, all these symptoms became more and more aggravated ; three days ago he had a severer attack of fever than usual, and he died in the course of last night or early this morning ; I consider he died a natural death."

(signed) *P. Mere Latham.*

Peter Mark Roget, of 39, Bernard-street, Russell-square, physician, on his oath deposeth :—" I have attended the deceased ever since he has been in the infirmary,

I have heard the evidence of the last witness, and agree perfectly with it ; I entertained the same opinion of the deceased being in great danger ; I should say, the prevailing symptoms were those of nervous irritation with fever."

(signed) *P. M. Roget.*

Benjamin Chapman, governor of the said prison, on his oath deposeth :—" The deceased was received here on 9th May last, from the *Justitia hulk* ; he was tried at the quarter sessions at *Coventry*, on 14th January 1822, and sentenced to seven years transportation, which was commuted to five years imprisonment in this *Penitentiary* ; when he came here he was stated to be twenty years old and in good health. All the above appears by the prison register."

(signed) *B. Chapman*, governor.

John Pratt, surgeon to the said prison, on his oath deposeth :—" The deceased's health continued very good until the 6th of January, when he was removed to the infirmary, complaining of violent pain in his head, which was accompanied with great nervous irritability, which continued more or less during his being in the infirmary ; some days he appeared much better, and then a relapse took place ; he was attended in the beginning by *Doctor Hutchison* and myself, and from the 1st of March by *Doctors Roget* and *Latham* ; every thing was done for him that could possibly be thought of, but he derived no benefit from any medicines which were given him, excepting for a day or two ; which disease was the cause of his death ; I visited him three or four times a day during the whole of his confinement in the infirmary ; his death certainly proceeded from a natural cause."

(signed) *J^r Pratt.*

VERDICT :—That the said *Thomas Brown*, on the said 25th day of April in the year aforesaid, at the prison aforesaid, in the said parish, in the said city or liberty, in the county aforesaid, departed this life in a natural way by the visitation of God.

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INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of *Ann Adams*, at the prison called or known by the name of the *General Penitentiary*, situate in *Milbank*, in the parish of *Saint John the Evangelist*, in the said liberty, in the county aforesaid, on the 28th day of April, in the fourth year of the reign of our Sovereign Lord King *George the Fourth*, before me *John Henry Gell*, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said *Ann Adams*, then in the said parish, in the said liberty, in the said county, lying dead, as follows : (to wit)

Benjamin Chapman, governor of the said prison, on his corporal oath, deposeth :—" The deceased was tried at *Worcester* on 20th October 1818, and found guilty ; she was sentenced to fourteen years transportation, which was commuted to seven years confinement in this *Penitentiary*, where she was received 8th July 1819 ; she was then stated to be twenty-five years of age and in good health, as appears by the prison register."

(signed) *B. Chapman*, governor.

Peter Mark Roget, of 39, *Bernard-street*, *Russell-square*, physician, on his oath, deposeth :—" When *Dr. Latham* and myself were called in to attend the *Penitentiary*, which was on the 1st of March last, we found *Ann Adams* in the infirmary, labouring under rheumatism and disorder of the stomach and bowels ; she got apparently well, and went down on the 6th March ; on the 15th of that month she came up with a relapse of the same complaints, which went on sometimes better and sometimes worse, till her constitution, which was naturally weakly, at length sunk from the consequences of the disease ; her death, in my opinion, arose from debility, proceeding from the long and frequent illness she has had ; I understand she has frequently been in the infirmary at former periods."

(signed) *P. M. Roget.*

John Pratt, surgeon of the said prison, on his oath, deposeth :—" The deceased was removed to the infirmary the last time on the 15th March, with sickness and complaint of her stomach, accompanied by rheumatism, under which complaints she lingered until 27th April instant, when she died ; she had been frequently in the infirmary before, as much as eight times in the last two years."

(signed) *John Pratt.*

VERDICT :—That the said *Ann Adams*, on the twenty-sixth day of April, in the year aforesaid, at the parish aforesaid, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

INFORMATIONS of witnesses taken this 6th May 1823, at the General Penitentiary on Milbank, in the parish of Saint John the Evangelist, on Sarah Farley, aged twenty-six years.

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B. Chapman, governor of the said Penitentiary, being sworn, saith :—"That the deceased was tried on the 16th of October 1820, at Chichester, and found guilty, and sentenced to seven years transportation, and under the Act commuted to five years imprisonment in the Penitentiary; she was received here 30th October 1820. This is extracted from the Prison Register."

(signed)

B. Chapman, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith :—"That the deceased was removed into the infirmary on the 15th March last, complaining of violent pain in the stomach, and generally the whole of the body, which proved to be violent spasms, and accompanied with fits; and in which state she continued more or less until the 3d May, when she died; the whole of the time she was daily attended by Doctors Latham, Roget, Hutchison, and by myself; she got exhausted by the disease, which caused her death. In the whole of her confinement she was able to take all the nourishment which was directed to be given to her, consisting of veal, mutton, fish, puddings, wine, brandy, and beer; had she been a patient of mine in good circumstances, out of a prison, she could not have been otherwise treated. She was received here in a pregnant state, and was delivered of a child which afterwards died, but that had no connection whatever with her death. She has enjoyed good health ever since she has been in the Penitentiary, with the exception of the last six weeks."

(signed)

J^r Pratt.

VERDICT :—That the said Sarah Farley, on the 3d day of May in the year aforesaid, at the parish aforesaid, and in the liberty aforesaid, to wit, in the Penitentiary aforesaid, died by the visitation of God in a natural way, and not otherwise.

INFORMATIONS of Witnesses taken this 6th May 1823, at the General Penitentiary on Milbank, parish of Saint John the Evangelist, on Ann Williams, aged 32 years.

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B. Chapman, governor of the said Penitentiary, being sworn, saith :—"That the deceased was tried at the Old Bailey, on 22d April 1821, and found guilty of stealing privately, and sentenced to seven years transportation, and under the Act commuted to five years imprisonment in the Penitentiary; she was received here on 3d June 1822, from Newgate. This extracted from the Prison Register."

(signed)

Benj. Chapman, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith :—"The deceased was removed into the infirmary on 3d April last, complaining of pain about the region of the heart, and which pains continued till her death, which took place yesterday; when the deceased was first received into the Penitentiary, her health, although apparently good, so as to prevent me rejecting receiving her, she was in an emaciated state from the irregularity of her life, but until about the 3d April she made no complaint; she was attended by Doctors Latham, Roget, Hutchison and myself, daily; and she had for nourishment, veal, mutton, fish, wine and brandy; and she was treated in every respect as any person out of a prison would be, who was in circumstances to command it; I suppose she must have had some inflammation about the heart."

(signed)

J^r Pratt.

VERDICT :—That the said Ann Williams, on the fifth day of May, in the year aforesaid, at the parish and in the liberty aforesaid, to wit, in the Penitentiary aforesaid, died by the visitation of God in a natural way, and not otherwise.

INFORMATIONS of witnesses taken this 19th May 1823, at the General Penitentiary Milbank, parish of Saint John, on Mary Venables, aged twenty years.

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Benjamin Chapman, governor of the Penitentiary, being sworn, saith :—"That it appears by the prison register, that Mary Venables was tried at Warwick the 27th March 1819, and found guilty of felony, and sentenced to be transported for fourteen years, and which was commuted under the Act of Parliament to seven years confinement in this Penitentiary, and she was received here on the 9th July 1819, being then in a good state of health."

(signed)

B. Chapman, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith :—"That the deceased was removed into the infirmary on 1st April last, complaining of violent

pains in her head, accompanied with drowsiness, and which pain continued more or less till the 17th May instant, when she died. She was daily attended by Doctors Roget and Latham, and by myself three or four times a day, and every thing was done that we could think of for the restoration of her health; we suspect that there is a considerable effusion of blood upon the brain; her appetite continued pretty good; she had several blisters upon the back of her head and temples, and leeches constantly applied; at last she went off rather suddenly; my opinion is she died of apoplexy, she had all the symptoms of it."

(signed) *John Pratt.*

VERDICT:—That the said Mary Venables, on the eighteenth day of May in the year aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God; to wit, of apoplexy, and not otherwise.

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INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Elizabeth Louton, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 26th day of May, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Elizabeth Louton, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

Benjamin Chapman, governor of the said prison, on his oath deposeth:—"According to the Prison Register, the deceased was tried at Northampton on 27th February 1819, and found guilty, and sentenced to fourteen years transportation, which punishment was commuted to seven years confinement in this prison; she was received here on the 11th October 1819; she was then stated to be sixteen years old, and in a good state of health." (signed) *B. Chapman*, governor.

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased's health continued pretty good until the 15th of last February, when she was removed into the infirmary, with pains in her chest and cough, accompanied with diarrhœa; the diarrhœa gave way to the medicines which were prescribed for her, but the cough continued increasing, with a considerable expectoration of purulent matter from the lungs, which ended in consumption, and was the cause of her death; she died yesterday; she was attended by Doctors Hutchison, Roget and Latham, and by myself, and every thing for the purpose of her recovery was done that was possible."

(signed) *John Pratt.*

VERDICT:—That the said Elizabeth Louton, on the twenty-fifth day of May, in the year aforesaid, at the parish aforesaid, in the city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

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in the County
of Middlesex.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of William Dongworth, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the tenth day of June, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty; on an inquisition then and there taken on a view of the body of the said William Dongworth, then in the said parish, in the said liberty, in the said county, lying dead; as follow: (to wit)

Benjamin Chapman, governor of the said Penitentiary, on his oath deposeth:—"The deceased (according to the Prison Register) was tried at the Old Bailey, on 25th October 1820, and found guilty, and was sentenced to seven years transportation, which was commuted to five years confinement in this prison, where he was received on 23d November 1820; he was then stated to be about 19 years old, and in good health." (signed) *B. Chapman*, governor.

John Pratt, surgeon to the said Penitentiary, on his oath deposeth:—"The deceased's health was very good until the 17th February last, when he was removed into the infirmary, with diarrhœa, under which complaint he laboured until the time of his death, which took place yesterday morning at three o'clock; he was attended by Dr. Hutchison and myself, in the early part of his disease; and from the

the 1st of March, by Drs. Roget and Latham, and by myself, and every means was made use of for his recovery. He had as many as ten, twelve, sixteen, and eighteen motions a day; when in the infirmary, he had eggs, fish, and nourishing things, and for the last month a pint of wine a day; this illness proceeded from a natural cause."

(signed) *John Pratt.*

VERDICT:—That the said William Dongworth, on the 9th day of June, in the year aforesaid, in the said liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

William M. Pitt, Esq. a Member of the House; further Examined.

THE Committee have seen, in a letter purporting to be written by you, dated "Dover-street, April 26th, 1823," and addressed to Dr. Hutchison, the following sentence:—"I have often lamented the jealousies and cabals amongst the officers, which, from an early period, have been too prevalent in the Penitentiary, and have led to a system of malicious tale-bearing, which I had always hoped would have been more discouraged;" that letter is your's?—It is.

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The Committee wish to ask you, upon what grounds you have made this statement?—I had long been of that opinion, and am as much convinced of it at this moment as ever. I am aware, that so strong an expression requires to be supported by facts, or by strong grounds of suspicion. It is very unpleasant to me to be reduced to the necessity of stating, as one of the grounds of that suspicion, communications that I have received from Mr. Holford. Mr. Holford and I, during all the time we have been together on the Penitentiary committee, have been much in habits of communication; we have seldom disagreed on any points; but this is an exception. I have frequently received communications from Mr. Holford of information that he had received from prisoners, and from inferior officers and servants of the establishment, which have much surprized me; I have always, or at least very frequently, taken the liberty of stating, that I thought information of that sort was highly objectionable, and, as I have stated upon other occasions, that it was very detrimental to the discipline of the establishment. I have certainly conceived that his being so ready to lend a willing ear to such communications, operated as an encouragement to tale-bearing; the consequences of which, certainly, have appeared to me to have been disputes, cabals, or intrigues.

In reference to what you have mentioned, cabals and jealousies among the officers, to what particular officers do you allude; do you allude to them all generally, or to any specifically?—I mean to say it had a general tendency to encourage insubordination, and cabals and intrigues, amongst the officers.

Meaning, by that, between the governor and the turnkeys, the chaplain, the surgeon, the matron, and the steward?—I do not wish to apply it to any particular individual; but that a system of lending a ready ear to tales that are told by persons in those inferior situations, and especially from prisoners, was likely very much to diminish the respect those persons would pay to their superiors, and tended of course to insubordination from the inferior to the superior officers, and to diminish the respect with which the prisoners would hold their officers in general.

You continue the sentence as follows:—"With all the credit I am disposed to give to the visitors for purity of intention and zeal in the discharge of their duties, I must consider their not having effectually crushed such a system to have been detrimental to the discipline of the institution, and inevitably must be often injurious to deserving individuals;" is the latter part of the sentence, "inevitably must be often injurious to deserving individuals," a supposititious case, or can you state instances in which individuals have so suffered?—I have very little interfered or inquired into the particulars of those cases, and wish it to stand as rather a likely inference from such a practice.

When you mention the expression, "With all the credit I am disposed to give to the visitors," do you mean generally the visitors, or only Mr. Holford, as one of them?—Certainly, principally Mr. Holford, because I have had much more opportunities of knowing what he has done as visitor, than what any other gentleman has done.

Do you know how long it is since Mr. Holford ceased to be visitor?—No, I do not.

He is not visitor at present, is he?—I am not aware that he is.

Do you happen to know whether, for two years preceding the 25th of March last, Mr. Holford had been visitor?—I really do not know.

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Of what nature were those tales?—I assure the Committee I paid very little attention to them, and therefore can hardly tell the nature of them. A story perhaps was told Mr. Holford by some prisoner, or some inferior officer; he has mentioned to me, “I hear so and so; such an abuse appears to be going forward;” but I shall get some further information;” or to that effect. I always turned rather a deaf ear to these observations, thinking it an erroneous system, and that it was not likely to contribute to the good of the establishment.

What was the nature of those tales?—Complaints.

Complaints against the turnkeys or the officers, that the officers had misconducted themselves, or that they had given them some indulgence, or of what kind?—Of various kinds, but I really paid little attention to them.

Supposing a prisoner had complained to you of the conduct of an officer, should you have thought yourself bound not to attend to that complaint?—Certainly not.

Do you not think Mr. Holford was equally bound to attend to any complaint any prisoner made to him?—Certainly, he was bound to attend to complaints that were made.

Would not you, as director, have thought it necessary to confront the person making the complaint, with the accused?—Yes, certainly.

Do you mean to say, that on any complaint against an officer, that was omitted to be done?—Most certainly not.

If a prisoner stated to Mr. Holford, that work was done in the prison without proper authority, or without being properly charged, for the private benefit of an officer, do you or not, think Mr. Holford ought to have taken that complaint?—Certainly, it ought to have been inquired into.

Was not that the case with the first matron recommended by you, and was not there a long inquiry; were not officers examined upon oath, upon the subject, and was not the charge proved to the satisfaction of the committee?—I am exceedingly sorry that case should have been mentioned; I am afraid my honourable friend means to infer from it, that the reasons of my having stated what I have stated in that letter, arose from a recollection of the circumstances of that case; I can only say at this moment, that I was not convinced that it was true, and that to this moment I believe it was not true, that there were no grounds for charging any criminality against the person alluded to.

Do you know whether, in forming that opinion, you differed from the rest of the committee?—I differed from Mr. Holford I know, and I believe from a considerable number of the committee, because the intention of dismissing that matron was announced, unless she rendered it unnecessary by a previous resignation; I certainly advised her to resign, but not from thinking her guilty.

Was not Sir Archibald Macdonald in the chair at the time that inquiry took place?—I believe he was, but I am sure I do not recollect.

[The witness was desired to withdraw.]

[The witness was again called in.]

What were the officers, as to whom any tales that ought not to have been believed, were brought by Mr. Holford before the committee?—Having already stated, that I paid very little attention to the stories, that I heard them always very unwillingly, and disapproved wholly of the system, it cannot be expected that two, three, four, five, six or seven years after, I should remember the names of all or any of those officers who have been so dismissed or suspended; I know little or nothing of the particulars; all I can say, is, that my opinion has been, that Mr. Holford has certainly favoured that system of making private inquiries, or receiving private information. I think it stands to reason, that such a course must produce bad effects; and my opinion has always been, that it was an erroneous system of discipline. I did not mean to particularize any particular case; however, as Mr. Holford has thought proper to bring up the case of the matron, I think it is due to myself, and to that lady, to speak out a little more freely. I would first mention, that Mrs. Chambers, the person in question, has been known to me between thirty and forty years; her father was a very respectable solicitor and clerk of the peace of the county of Dorset; at his house I used frequently to meet his daughter, and have known her from that time to this. I have always had a very high opinion of her; I believe her to be a woman of most strict integrity, and most correct conduct. As well as I can charge my recollection with the story which caused her dismissal, it was this: her daughter was about to be married to the son of Mr. Pratt, the surgeon of the Penitentiary; there was some furniture which she wished to have made

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made up ; one, two or more female prisoners having told her that they had no work to do at that moment for the establishment, volunteered to make up this furniture ; some thread belonging to the establishment, part of the stores of the establishment, was made use of by those female prisoners in making up this furniture. I think I recollect that the value of the thread was inquired into, and as well as I recollect, also, it did not amount to two shillings. Mrs. Chambers, as I understood from her afterwards, gave those women a certain quantity of thread, which was supposed to exceed in value the quantity they had so used ; and I really thought that that charge had been entirely laid aside. There was also a second charge brought against Mrs. Chambers for stealing a Bible. A certain number of Bibles, I think, had been distributed amongst some of the officers of the establishment ; Mrs. Chambers understood that it was a present from the Penitentiary. Upon her daughter's marriage, she made her a present of that Bible which she had received from the Penitentiary ; and that was the second charge brought against her. I never heard of any other. I certainly gave no credit at all to the charges against her ; I believed then, and though I have not mentioned it before, I believe still, that Mrs. Chambers was the victim of a plot ; and I am very sorry to say, but I now will bring it forward, that I impute very much Mrs. Chambers's losing her situation to the conduct of the Reverend Mr. Bennett, who professed to me a great deal of friendship for Mrs. Chambers, but who I afterwards had reason to believe had not been sincere. I am very sorry to lay such a charge against Mr. Bennett ; I have never mentioned it before, except confidentially to friends ; but I think myself now under the necessity of stating, in proof of the grounds upon which I have had those suspicions, that I think Mrs. Chambers is one instance of the ruin of an officer from intrigue and plot ; and I think the case, now before the Committee, of Mr. Hutchison, seems also to savor very much of plot and intrigue.

Was Mrs. Chambers dismissed in consequence of any report of Mr. Holford, or representation of information received by him from other persons, or on a regular inquiry in which officers were regularly examined upon oath, Sir Archibald Macdonald being in the chair at the time ?—Six years have elapsed since the transaction took place, it was in the year 1817, and I never heard of any person having been examined upon oath upon the subject, before Sir Archibald Macdonald, to the best of my recollection.

Do you mean that no examination took place, or only that it was not an examination on oath ?—That there was an examination, and a discussion in the committee, I perfectly recollect ; and I also perfectly recollect to my great surprize, that a majority of the committee were of opinion that Mrs. Chambers should be dismissed ; Sir Archibald Macdonald, upon my speaking to him upon the subject, told me that he rather recommended that she should give in her resignation, instead of running the risk of being dismissed ; I gave her that advice, and she followed it.

Do you know whether there are any records of that evidence now in the Penitentiary ?—I do not ; most likely there are.

Does any part of your statement of Mr. Holford's belief of tales, apply to the case of Mr. Hatch, the steward ?—I certainly expected to have the case of Mr. Hatch also brought forward for the same reason ; Mr. Hatch, the steward, was certainly proved to have embezzled or at least to have misapplied some money belonging to the Penitentiary in his hands, and therefore I considered Mr. Hatch's case as not at all to be defended ; and when Mr. Hatch pleaded to me how cruelly he thought he had been treated, I told him, you have done wrong, and I cannot say one word in your favour ; and I refused to plead Mr. Hatch's cause ; but I must say, that I certainly think Mr. Hatch had very hard treatment, for his accounts had never been examined or looked into in any regular way, or passed, from the time he was first appointed at the first opening of the Penitentiary till that time. He had repeatedly said to me, how hard it was that his books were not examined ; still they were not ; at last he was applied to to make up his accounts, and a very short time allowed him to do it ; I remember his telling me that he was up till twelve o'clock and one o'clock and two o'clock in the morning, night after night, to make up those accounts, and that it came at a most unfortunate moment, for that he had involved himself in difficulties, which would not have been the case, had he not expected that no inquiries would be made as to the state of the accounts for some little time, which would have enabled him to provide the means of replacing those monies which he had very improperly expended, belonging to the Penitentiary.

Do you happen to recollect, whether the principal charge against Mr. Hatch, and that upon which evidence was first taken, was not a complaint by tradesmen

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with whom the committee of the Penitentiary dealt, that unless they would lend Mr. Hatch money, they had no chance of serving the Penitentiary; do you recollect whether any examination took place upon that subject?—I really do not recollect the particulars; but I have a faint idea that there was some information of that sort received.

Do you recollect whether the ground of the dismissal of Mr. Hatch, whatever it was, was inquired into before the committee at large, and not founded on any statement or report by Mr. Holford?—I know not upon whose representation the inquiry took place, but I always conceived that the matter had been brought very regularly before the committee, had been very properly and deeply inquired into by the committee, and that the committee were perfectly right in dismissing Mr. Hatch, in which dismissal I also concurred.

As Mr. Holford is not aware of any officer respecting whom his opinion and yours have been different, can you state any person who has been injured in the opinion of the committee, or dismissed in consequence of any report or representation of Mr. Holford not inquired into?—I can mention no particular name; I have no recollection of any.

Do you not believe it to be the duty of a visitor, if statements are made to him by any officer or any prisoner, which tend to involve the character and conduct of any officer of the Penitentiary, to bring them before the committee?—If the visitor considers the charge as well founded, I should conceive certainly it is his duty.

Supposing the visitor to have a doubt upon the subject, is it not then his duty?—I should think probably it was.

Can you recollect any instance in which Mr. Holford ever brought a statement or report of an officer before the committee, which appeared to be frivolous and groundless?—I really do not recollect.

Within what time does the supposed listening to complaints on the part of Mr. Holford relate?—I think very shortly after the first opening of the Penitentiary.

How late does it reach, to the time of Mr. Holford ceasing to be visitor, or since that?—I cannot tell that; Mr. Holford never received any encouragement from me to mention those circumstances to me, and I do not recollect that he has within the last year or two, or perhaps longer.

In what way were those tales told; did the prisoners or the inferior officers come to Mr. Holford, or did he go about fishing for them?—I do not know.

Was it customary to administer oaths in the committee room, and if so, by whom are they administered; was it done by any person being a magistrate?—I never recollect the circumstance occurring.

Is it customary to corroborate any information received by a visitor by the testimony of some other party before it is laid before the committee?—I really do not know what the practice may have been.

Would you have done that yourself?—I never recollect bringing forward any complaint myself; I suppose every gentleman adopted such plan as appeared to him to be fair, and according to established usage.

What is your objection, in principle or in result, to a visitor of a prison going into every cell, and to every part of that prison, with his ears open to receive every complaint, in order to state those complaints afterwards to any body who has the power of redressing those complaints?—I am afraid the day would be hardly long enough to dispose of those complaints.

What is the objection to the practice?—I have always remarked, that if much encouragement was given to persons to make complaints, complaints would be very frequently made, and very frequently be found frivolous; I have found that very much to be the case in our gaol at Dorchester; when there has been any great encouragement given to people to come and make complaints, complaints have been made, and on being inquired into, nineteen out of twenty perhaps, have been found not to have any foundation whatever, but to have been brought forward from motives of malice, or to take the chance of blame resting on the gaoler or some other party.

Is not the result likely to be, that if complaints are proved to be frivolous generally, fewer complaints will be made?—I can only say generally, that my opinion, really founded upon the experience I have had, has been, that that system has not seemed likely to produce proper discipline and subordination in a place of that sort.

You

You are one of the visitors of the Dorchester gaol?—I have been so many years.

When you visit the gaol, in your capacity of a visiting magistrate, do you uniformly shut your ears against complaints?—On the contrary, I am always ready to hear any.

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Then in what do you differ from Mr. Holford, who went his circuit round the prison for the same purpose?—When I go into the prison at Dorchester, the prisoners generally, if they have any thing to complain of, come to me and make their complaints, but I do not go and inquire of prisoners individually what complaints they have to make. I do not pretend to say that Mr. Holford adopts that practice; but I have always conceived that the prisoners at the Penitentiary thought that Mr. Holford had a strong disposition to hear any complaints that they might think fit to make to him; it is rather a nice distinction perhaps; but I have been rather considered at Dorchester as not very anxious to collect that information, and Mr. Holford has been rather supposed to be desirous of collecting it; that seems to be the difference.

Did you ever go round the prison with Mr. Holford, so as to have an opportunity of seeing whether he showed any anxiety to receive the complaints of prisoners?—I have often gone round with Mr. Holford, and never was witness to that practice; but he knows very well I have often expressed to him, that I believed that was the general opinion in the Penitentiary, that he was very desirous of hearing every kind of complaint that could be brought forward.

Do you mean complaints of the prisoners of grievances which they had to make against the officers of the establishment, or complaints of one officer against the other, turnkeys against taskmasters, and taskmasters against the governor, and *vice versa*?—I can only repeat, that I paid very little attention to those communications; but certainly very frequently I have heard of complaints of one officer against another.

When you were visitor, were those complaints of the officers against each other frequently made to you?—I was only visitor, I think, for about six weeks, during the whole time that I was a member of the committee, and that was, I believe, in the year 1816, or very early in 1817.

In those six weeks, were any complaints made to you by officers against officers?—I do not recollect any complaints.

Supposing that any complaints had been made to you, what would have been the step you would have taken?—I should naturally have inquired into the grounds of the complaint.

From the parties accused?—Yes.

You would have heard both sides?—I would have heard both sides.

Should you have done that before you communicated with the committee?—I certainly should.

Should you have made a report of the proceedings that you had been engaged in, whether of acquittal or of censure, to the committee?—I should probably have endeavoured to have settled the matter with the parties if I could; if I could not, I should have thought it my duty to have reported the matter to the committee.

If you had so settled it, should you have communicated the settlement of it to the committee?—I believe one of the rules of the establishment required me so to do, therefore I certainly should have done it.

You have stated in your evidence, that Mr. Bennett, the chaplain, had, in your opinion, not been a sincere friend of Mrs. Chambers?—I believe so.

What ground have you for thinking that he was not?—Mr. Bennett professed to me a great deal of good will towards Mrs. Chambers, and I really supposed her in no danger; when the matter was brought to a close, I certainly did not think that Mr. Bennett had acted towards me with sincerity; I thought he had professed a friendship which he did not feel, and not acted up to it, and I therefore conceived that he was so far implicated as to have favoured the plot or intrigue against her.

Had Mr. Bennett any thing to do with the measure against Mrs. Chambers?—I believe not; he communicated with me upon it, and we had several conversations upon the subject.

Had he any thing to do with the examination into the charges?—It is so long ago, I really can hardly tell; but I think it is very likely with respect to the Bible; it is probable that the Bibles may have been delivered out to the officers by the chaplain; but I do not know that it was so.

Do you know whether Mr. Bennett was a witness in the examination of the charges?—After six years, I cannot take upon myself to say.

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Was he a judge; was he a committee-man?—No; he had no vote.

Then in what way could Mr. Bennett have acted with insincerity, if he neither made the charge, nor was a witness to the charge, nor tried the charge?—I certainly expected that Mr. Bennett would have spoken of Mrs. Chambers in such terms, as would have most clearly proved his total disbelief of any thing improper having been done by her; whether he did or did not, I cannot tell, but I always bore in mind that Mr. Bennett then was not a friend to Mrs. Chambers.

Supposing Mr. Bennett had been a friend of Mrs. Chambers, and had thought very well of her, and that evidence had come to his knowledge to alter his good opinion, do you think that he would not have been justified in retaining that opinion, and expressing it to the committee?—Most certainly not; but I should have thought it would have been candid in Mr. Bennett, to have mentioned such circumstance to me.

Then the Committee understand that your opinion of the insincerity of Mr. Bennett rests in his not having mentioned what he knew of Mrs. Chambers to you, his change of opinion of Mrs. Chambers's conduct, because you have told the Committee already you do not know whether he gave any evidence against her or not?—I do not know that he gave any evidence for or against her.

Then your opinion of Mr. Bennett's insincerity rests only on his not having communicated with you upon the subject?—Very much.

You have stated, that the conduct pursued with respect to Mrs. Chambers, savoured very much of plot and intrigue; do you refer to Mr. Bennett's conduct as savouring very much of plot and intrigue?—I conceived that Mrs. Chambers had many enemies, and the result convinced me that she had, and that Mr. Bennett was no friend to Mrs. Chambers.

Was Mr. Bennett ever consulted as to the appointment of any of the subordinate officers in the Penitentiary; was his recommendation ever followed?—It may; I do not know that it was.

Did Mrs. Wilkinson succeed Mrs. Chambers?—No; Mrs. Sharpe.

Do you know whether Mr. Bennett was in any way connected or acquainted with Mrs. Sharpe, so as to raise a reasonable suspicion that he was interested in removing Mrs. Chambers?—I do not know.

Is not Mr. Bennett, as the chaplain, in point of fact, one channel of communication with the prisoners to the committee, to the governor, and to the visitors?—I suppose so; certainly.

In point of fact, do not the prisoners open their hearts and minds to him most freely?—I cannot tell from my own knowledge; it is very natural to suppose that they do.

Do you not think that he knows more of what passes in the mind of every prisoner in the Penitentiary, than any other person within it?—I should think so, decidedly, from the nature of his office.

Does it appear to you also, from the nature of Mr. Bennett's office, that he has any influence with the committee, or with any members thereof?—Most undoubtedly; he must have great weight and influence with the committee. I think it is highly proper, that whoever holds the office of chaplain of that or any other institution, should have the greatest possible weight with the governing powers.

Then you are to be understood, that when he distinctly told you that he was a sincere friend to Mrs. Chambers, always holding that a man in his situation must have great influence with the committee, you naturally expected that he would have been her advocate there?—I certainly expected it.

And you have reason, as an honest man and an English gentleman, to believe, that he fell from that upon that important occasion?—Mr. Bennett certainly did not realize to me the hopes I had entertained of his taking up the cause of Mrs. Chambers, whom I considered as an injured person.

Was not the ground of your displeasure in regard to Mr. Bennett, that Mr. Bennett refused to be the adviser to the committee, to overlook what had passed?—If I had thought that what had passed had been in any degree wrong, I should have considered myself acting a very base part indeed, if I could have proposed to Mr. Bennett to take up such a cause.

What means had Mr. Bennett of knowing whether the evidence before the committee was, or was not conclusive against Mrs. Chambers?—The conversations that took place between Mr. Bennett and me, I believe, were previous to the decision of the committee, and probably to any examination before the committee.

Did you expect Mr. Bennett should interpose to prevent inquiry, or intercede with the

the committee after inquiry had taken place?—As far as I remember, Mr. Bennett appeared to me to coincide with me in opinion, in considering the accusation as futile.

Is it supposed that Mr. Bennett had examined all the officers, that were examined before the committee?—Mr. Bennett, as well as myself, might form an opinion upon the probability or improbability of the story; and as we were speaking together as friends, he might express to me his thoughts of the truth of the charge, as I did to him; and I thought that he appeared to me to be so convinced of the want of reality of the accusations against Mrs. Chambers, that I really thought the charge probably would be dropped, and would not be proceeded with.

Do you suppose that depended at all on Mr. Bennett, or on the members of the committee who had brought forward the charges in the committee?—Certainly, it depended on the members of the committee; but a favourable representation from Mr. Bennett, were he convinced of the innocence of the party, would I suppose have great weight with every member of the committee; I know it would with me.

Could you believe, that a committee formed as the committee of the Penitentiary is, with the names of some of the most respectable and distinguished members of Parliament, members also of the established church, would have, contrary to the opinion of Mr. Bennett, entertained for one single moment, a charge against a respectable woman, for stealing 2s. worth of thread, which it is represented that she afterwards returned, and a Penitentiary Bible; that appearing to be the whole of the charge laid against Mrs. Chambers?—I never heard of any other charge being laid against Mrs. Chambers, but those two.

Did you ever hear that a part of the charge against Mrs. Chambers was, that her own washing and mangling was done in the prison, and that it was becoming the practice for all the superior officers to have their washing and mangling done in the prison, contrary to the rules?—I think I recollect an objection being started, that the washing of the officers in the laundry was improper, and I rather think that the rule had been then made to prevent it in future; but I do not precisely recollect whether the rule preceded the inconvenience, or the inconvenience preceded the rule.

Was it not a part of the charge against her, that she had done this, or permitted it to be done, without consulting the visitor, when she stated that she had some doubts in some part of the transaction?—I do not recollect the details of that circumstance.

Was she ever warned of having so done, and required not to infringe the rules again?—I must repeat, that I do not recollect the details of that circumstance.

Martis, 17^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

James Johnson, M. D. called in; and Examined.

YOU are a physician?—I am.

Were you ever in the navy?—Yes, I was.

How many years?—About seventeen years.

Serving in different parts of the globe?—Yes; in the East and West Indies, the Mediterranean, and the North Sea.

During that period had you many cases of scurvy under your notice?—Yes, I had, both in cold and in hot climates.

Of course the Committee understand you to be practically conversant both with the nature of the disease, and the treatment by which it is attached?—Of course.

Have you been round the Penitentiary?—Yes; I have been round it, yesterday and to-day.

Did you see all the sick that were there?—The greater part of them; not all; I saw at least two-thirds of them.

What was the state in which you found them?—I did not direct my attention to any but those who had the bowel complaints and scurvy; the scorbutic cases were very few, indeed, merely the relics of the disease; but the bowel complaints were very numerous.

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Dr. Johnson.

(June 17.)

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Should you consider those bowel complaints as connected with the original disorder, namely, the scorbutic attack?—I think it is a difficult thing to say precisely on that point, because I have seen dysentery, or flux, which is a degree of dysentery, with scurvy; I have seen it without scurvy; I have seen scurvy without dysentery and with it. I have seen many more cases of dysentery and scurvy uncombined than combined; and consequently I am not prepared to say, that, because they are contemporaneous, they are to be put in the light of cause and effect; the same causes which would produce scurvy at one season of the year, or among one class of patients, would produce other features of the same disease, dysentery, at another season, or in another class of patients. At the same time, I do believe that scurvy pre-disposes to the bowel complaint in many instances.

Did the disease appear to you to be on the decline?—That is a question I cannot exactly answer; I am told by the medical men that the numbers entered there are not so frequent as before; but with respect to the existing state of those patients, they are, I might say, all mending; there are a few who have just entered within these two or three days; of course they are under medicine, and the medicine has not taken its effect; yet, consequently, the disease goes unmitigated in those few recent cases; but they will also come to the same point which the others have come to, from the treatment under which they are.

Were you made acquainted with the medical treatment?—Yes, I was.

What was that medical treatment?—It was a mercurial treatment, combined with opium and ipecacuanha principally.

Is that a treatment you have been accustomed yourself to use?—It is the only treatment which I have ever seen effective in any climate with similar complaints, both in hot climates and in cold.

Do you consider the use of mercury to an extent to affect the gums as forming a part of that treatment you have just described?—It is not to be relied upon if it is not carried to the extent of salivation, of affecting the mouth, for that is an index that the whole system is affected, and the bowel complaint of course gives way as soon as that criterion is established.

The Committee understand, that this is the practice which you have yourself used in all climates, and found a successful one?—It is a practice which I have employed for many years; when I first began that practice I vacillated considerably in the mode of practice, but as my experience increased, my conviction increased that this was the best practice.

Have you ever been accustomed to administer the citric acid in any quantities?—I have in scorbutic cases.

The Committee understand you to draw a distinction between scorbutic cases without diarrhoea, in which you administered that remedy, and scorbutic cases with diarrhoea, in which you did not administer it?—In a great number of cases where I have had occasion to administer citric acid, it has been in cases where there was scurvy uncombined with bowel complaints; I have also given vegetables and citric acid in cases where it was combined with bowel complaints, and in some of them it would not agree with the bowels, in others it would, so that I could not draw any very material inference on that point.

Of the two practices, where the disease is one of diarrhoea, you consider the mercurial practice as one more efficacious than the other?—In every kind of bowel complaint, from the common diarrhoea to the regular dysentery; and those complaints in the Penitentiary, as far as I have seen, have assumed all the grades between those two points, they have appeared to labour under all the intermediate grades, and in all those grades I consider the mercurial practice as, upon the whole, the best moderating or modifying treatment, according to the degree of the disease, but not changing the principle of the practice.

Do you think that the combination of dysentery with scurvy does not preclude the use of mercury?—In cases where the scorbutic diathesis was very strong, for instance, where they could scarcely sit up in bed, where the hands would be contracted, the gums spongy and bleeding, and very difficult of breathing on the least exertion, and if such a case were combined with dysentery, I should hesitate in employing mercury, at least to the same extent as I would where the scorbutic affection was less, I would trust then more to opiates and absorbents, together with nutritious food, until the scorbutic diathesis was somewhat subdued, then I would pursue a mercurial plan to remove the dysenteric affection.

Is there any case similar to that you have described existing now in the hospitals of the Penitentiary?—No; no case have I seen of scorbutic diathesis at all prominent

minent; there were only some spots on the skin, and some sick merely of the former affection, but very few even of that; so that the scorbutic diathesis in the Penitentiary to me appears now very trifling indeed.

Would the appearance of scurvy be likely to be more evident in the winter than it would in the summer months?—In cold climates the winter is the season for scurvy; in hot climates it will prevail at all seasons where the men are kept long on salt provisions, or are subjected to the depressing passions; I do not conceive that scurvy is necessarily produced by salt food, or even low diet, for I have seen it take place where men were on fresh provisions, and a sufficient abundance of those provisions; but from certain moral causes, from the depressing passions, disappointment.

Persons who have been long on shipboard?—Yes, or who have been considerably chagrined in respect of prizes; a very strong instance occurred in the year 1806, in the East Indies; three line-of-battle ships sailed from Madras in October for Batavia, they were highly elated with the expectation of capturing the Dutch fleet, they were entirely disappointed, and in a very few days after they arrived at Batavia they were seized with scurvy, with dysentery, and with liver complaint, and those three ships, the *Russel*, the *Powerful* and the *Albion*, lost a hundred men in the course of two or three months, of scurvy and scorbutic dysentery.

Were they well supplied at that period with fresh provisions?—They had the usual supplies that all ships on the station had; there was lemon juice, and they took out the same quantity of live stock as other ships did on similar cruizes, and they were in the habit frequently of getting vegetables, and not exactly fresh meat, but this was within three months; they were frequently in the habit of getting vegetables off Batavia, with other ships off the same station in the East Indies, that were not subject to those vicissitudes; the moral emotions were not affected.

Have you ever yourself, employed mercury for dysentery where there was scurvy?—I have done it where there were slight scorbutic affections, and I have known others do it where scurvy was very strongly developed; there is a journal which I examined some few years ago, of the *Lancaster* of sixty-four guns, off the Isle of France, the ship was affected with scurvy and dysentery; I read in the journal of Mr. Thompson, the surgeon, at the victualling office many years ago, a statement of his having employed mercury in very large doses, so as to have produced salivation in a variety of cases, and he stated, without any materially bad effect, though he was very much afraid of giving it at first, under such a strong scorbutic diathesis; I do not think it would be desirable to give it where scurvy was strongly developed, but in the milder grades of scurvy, I should not allow a bowel complaint to go on without giving mercury to check it.

From what you have seen in the Penitentiary, do you consider that that practice has produced a good effect?—Almost uniformly, and in more than thirty-nine cases out of forty, the effect was a cessation, or nearly a cessation of the bowel complaint, as soon as the mouth was affected.

Do you consider the dysentery in the form, such as you have described it, to be contagious?—I do not; I have never seen it contagious, neither in this climate nor in hot climates; at the same time I do not deny the possibility of such a thing occurring in badly ventilated apartments, where there were people crowded together, and cleanliness not observed; such a thing may exist, but I have never seen it.

On board a ship, of course, even in the best managed ship, they must be much more crowded and confined, than in the common hospitals in this country?—Of course, they could not have the accommodations they have in a hospital.

Under those circumstances, even with the use of the common privy on board ship, you never found it contagious?—I never saw an unequivocal instance of dysentery being communicated from one individual to another, either on board a ship or on shore.

Are you aware that some of the officers of the Penitentiary have recently had the complaint?—Yes, I have heard that some of them have had the same complaint.

Should you consider any fact of that kind, supposing that those officers were in the habit of using the same privy with the men that were diseased, as demonstrating that the disease was infectious?—I would not consider that as the case; if an officer, for instance, the porter, used the same privy that one of the men confined under dysentery was using, and he afterwards became affected with dysentery, I would not consider the *post hoc ergo* proved, for it is contrary to the general nature of the

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disease; I should rather suspect that he had been subjected to some of the same causes that had produced it in others.

What should you consider to have been the cause of the complaint which has existed so long in the Penitentiary?—I think it is exceedingly difficult to determine all the causes that may have combined to produce this complaint; I think it is highly probable that a defect of nutriment, if it did not cause the disease, strongly pre-disposed those who used that defective plan of nutrition, to the general causes that produced it; but I am not prepared to say that this was the sole cause, and one reason for my not being prepared to say so is, that some recent cases have taken place, where the men were not more than six weeks or so in the Penitentiary; and consequently, they could not have been much, if at all, under the influence of the reduced plan of nutrition; the causes of all these endemics and epidemics are very obscure, and I think we are seldom able to ascertain the real or original cause; errors of diet, or various other circumstances will predispose; but it is a case in which neither will actually produce the disease, without some aerial or terrestrial causes operating at the same time.

Do you think there is any thing in the local situation, that is likely to create the complaint?—I am not prepared to give a decided opinion upon that subject, for I have not examined it with accuracy; it certainly appears to me to have been a swampy low ground where the Penitentiary is built; but still the nature of the houses, the pavements, and the draining that has taken place since, would induce me to pause before I said it was an unhealthy site.

Should you attribute much to the operation of what may be called moral causes?—I should, I consider it is exceedingly likely; and that is the distinction between the officers; there has been a pretty general exemption of the officers, though one or two have suffered; and I consider that that exemption has been owing as much to moral as to physical causes, as much to the state of their mind as to the quantity of their food.

Are you aware that a greater number of persons in the second class have been affected, than of the first, those who have been longer in the establishment?—It was so reported to me by the physician; and also that those who were in the upper apartments, and subject to a greater degree of cold in the winter, were more affected, than those in the warmer and lower apartments.

Were you in either of those three line of battle ships you have referred to?—No; but when I was publishing a work on the diseases in the tropical climates, I examined the journals of the surgeons at the transport office, and from the journals collected this information.

Do you know whether they had plenty of lime juice or lemon juice on board?—I was in India within a very short time of their sailing, and I know that all the ships on that station were very well supplied with vegetables, and we had lemons supplied us by the East-India company at Calcutta, and preserved limes mixed up with sugar.

Were you employed in any ship at that time?—Yes, I was.

Do you know whether the surgeons did employ lemon juice, as was latterly done in abundance?—As far as I can collect by their journals, they employed every antiscorbutic remedy that came in their way; but there were a hundred men died, and a great number sent to the different hospitals on their return to Madras.

What is the difference between a dysentery, and what is usually reported to the captain of a man of war as a flux?—I think they are all grades of the same disease; and there are innumerable grades between the two, that admit of no definition.

Do not you know, that the surgeons on board ship generally imagine that the flux is catching, and order very great care to be taken of the privies?—Not within the last twenty years; the opinion has been discarded almost in toto, by the wide experience of the medical officers in the navy; the opinion has almost entirely given way amongst those who have the greatest experience; those who carried prejudices with them from the schools, have used those precautions.

Are you of opinion, that this complaint which now prevails in the Penitentiary, is or is not infectious?—I do not think it is infectious.

Have you examined any of the recent cases?—I have.

What effect do you think change of air would have on many of those patients?—It has a good effect on almost all complaints.

It would have a good effect on many labouring under these complaints?—Yes; I have no doubt it would prevent many relapses, and materially assist many who are now labouring under this disease.

What

What food have they?—Principally farinaceous food, according to the degree of the complaint.

Did you examine their mouths?—Yes.

Did not you find the mouths of many of the patients very much affected?—I suppose nine-tenths of those now affected, are now under the influence of mercury; their mouths are more or less affected; those nine-tenths say that their bowels are very comfortable, nearly well.

Do you think you could form a more correct idea of the complaint, if you were to examine the body of one of the patients?—I could form an idea of course of the immediate causes of death, such as the ulcerations of the bowels; but those ulcerations are the effects of the disease, and not the causes.

Did you see the body of a patient who died yesterday?—I did not; I mean to see it to night, it is kept for the purpose; but I have opened the bodies of many who have died of this complaint; a great majority have ulcerations of the bowels, what I should consider the effect of disease.

Do you know whether it is intended to open that body?—It is opened; it was opened this morning before I got to the Penitentiary.

Would you prescribe oranges or lemon juice, if you could have both?—I should be inclined to prefer the lemon juice.

Would you, in the beginning of such cases, have prescribed mercury along with the lemon?—I cannot tell to what degree they were affected with the scurvy; in very bad cases of scurvy I should hesitate in giving mercury; but I should endeavour to get the scorbutic symptoms reduced, and then, if the bowel complaint has persevered, I should not hesitate, in that case, to enter cautiously on the administration of mercury, combined with other means.

What proportion of patients are there in the Penitentiary now that are afflicted with scurvy?—Very few indeed; I do not think I saw more than four cases, and I examined upwards of two hundred, and they are very slightly affected, merely spots on the skin, without any or very little swelling about the hands.

The rest were all cases of diarrhœa, in a greater or smaller degree?—Yes; in the rest I could see nothing but the bowel complaint.

Is it not considered a most fatal symptom on board ship in general when the diarrhœa attacks a man with the scurvy?—It always renders the chances much less favourable; but scurvy is not, as far as I have seen, always or even generally accompanied with flux; it is a bad addition to it certainly, and possibly the scurvy may cause the flux in bad cases.

Are there many serious cases in the Penitentiary now?—I did not see one, in my examination yesterday or to-day, who I think will die of this complaint; I only directed my attention to the bowel complaints.

If you had prescribed mercury, in the first instance, in a scurvy case, would you be disposed to leave it off on flux commencing?—I would not prescribe mercury for the scurvy at all: it is only for the bowel complaint; I would not, where it is combined, allow the bowel complaint to go on, wearing the patient out, for fear of the scurvy, unless there were a very high degree of scurvy; where a person is highly scorbutic, and had a bowel complaint combined with it, I would hesitate in giving the mercury until I had lowered the scurvy by proper means.

If a man had the scurvy without the flux, what would you do?—Give him nutritious food, both animal and vegetable.

You would not give him mercury besides?—I would not; mercury in any case for scurvy is improper; it is only where combined with diarrhœa, and not for the scorbutic part of the complaint.

Do you know whether you saw the worst cases?—Many were pointed out to me, by the physician and the surgeon there, as having been among their worst cases.

None of those patients you think will die?—I do not see any probability of any of them at present being in danger; they may have relapses; but, under existing circumstances, there is not any probability.

The medical journals of the three ships you have referred to will show the treatment the sick experienced?—Of course; they sailed from Madras on the 22d of October 1806, for Batavia; and they were about three months, or between three and four months away; this extract from their journals has been published by myself thirteen years ago.

In what ship were you?—In the Caroline frigate, and also for a time in the Russel, one of those ships, but not at that period.

Peter M. Latham, M.D. ; further Examined.

Dr. Latham.

(June 17.)

DID Dr. Johnson see the eight cases which were alluded to by you on the 12th of June last?—He saw all the cases, except two, which were considered to be dying at that time, and the individuals have since died; they were both cases of dysentery and flux.

He has seen the other six?—Yes; I did not mean any particular cases, but I said there might be half a dozen or eight cases, concerning which I was anxious, but the state of those cases has very much changed within these few days; I cannot say that there are half a dozen cases affected with this disease as to which we are anxious now.

John Godwin Johnson, Esq. called in; and Examined.

*J. G. Johnson,
Esq.*

DID you accompany Sir Gilbert Blane round the Penitentiary sometime ago?—I think it was the 24th of May.

Were you with him during the whole time he went round there?—I was not always present in every cell he entered.

Did he examine the patients legs?—He did, a number.

In how many cases do you think he examined the legs?—I cannot give an idea of the number; I did not pay particular attention to it, further than occasionally examining them myself.

You would say generally he examined the legs of the patients?—Those that I saw he examined the legs of.

Both males and females?—Yes; I do not remember what number of men, but I remember looking at the legs of one woman with him.

He took off their stockings and examined the state of their legs?—Yes; there were three men generally in a cell, and he desired them to come round and put down their stockings.

Both men and women?—I do not remember the men particularly, but I know there were women.

Did he examine every patients legs and gums?—I cannot say every patient; there were one or two cells I did not enter with him, but I was at the door.

What is your opinion as to this complaint, which prevails at the Penitentiary, being infectious or otherwise?—I cannot say that I have had experience sufficient to justify an opinion upon that subject.

George P. Holford, Esq. a Member of the Committee, further Examined.

*G. P. Holford,
Esq.*

HAVE you any Papers to give in, in consequence of the examination which took place yesterday?—I have brought extracts from the minutes, relative to the cases of the matron and Mr. Hatch the steward, that were alluded to yesterday, and I wish to correct a mistake which was made by myself in putting a question to Mr. Pitt, which implied that the examination of the witnesses in the charge brought against the matron, took place while Sir Archibald Macdonald was in the chair; it will appear by these minutes that I was in the chair at that time, but that Sir Archibald Macdonald was present at two subsequent meetings at which the examinations of those witnesses were read and the case gone into.

[*The Papers were read, as follow:.*]

AT a Meeting of the Superintending Committee, held 3d February 1817.

Present:

George Peter Holford, esq. in the chair.

The Right honourable Richard Ryder.

Sir Charles Edmonstone, bart.

John Fane, esq.

Davies Gilbert, esq.

The committee proceeded in the investigation recommended at the last meeting, and examined several witnesses relative to work being done in the prison, contrary to the regulations.

Resolved,—That the examination of the witnesses be submitted to the committee at their next meeting.

AT a Meeting of the Superintending Committee, held 7th February 1817.

Present :

The Right honourable Sir A. Macdonald, bart. in the chair.
 Sir Benjamin Hobhouse, bart.
 Sir Charles Edmonstone, bart.
 George Holford, esq.
 John Fane, esq.
 Davies Gilbert, esq.
 The Rev. Archdeacon Pott.
 The Rev. Archdeacon Cambridge.
 The Rev. J. T. Becher.

PAPERS.

(June 17.)

The minutes of the 3d February were read, and the examination of the witnesses, by which it appeared that work had been done in the prison, without being accounted for.

Resolved,—That a special meeting of the committee be summoned for Friday the 14th instant, to take into consideration the question as to the removal of the matron.

AT a Special Meeting of the Committee, held 14th February 1817.

Present :

The Right honourable Sir A. Macdonald, bart. in the chair.
 Sir Charles Edmonstone, bart.
 William Morton Pitt, esq.
 George Holford, esq.
 Davies Gilbert, esq.
 The Reverend Archdeacon Pott.
 The Reverend Archdeacon Cambridge.
 The Reverend J. T. Becher.

The committee proceeded to the consideration of the question as to the removal of the matron.

The secretary read the minutes of the evidence taken at a former investigation, and also the matron's explanatory letter.

Resolved,—That the consideration of this question be postponed until Saturday the 22d instant, and that a special notification, that it will then be considered, be inserted in the summonses of the committee.

AT a Meeting of the Superintending Committee, held 22d February 1817.

Present :

The Right honourable Sir A. Macdonald, bart. in the chair.
 Sir Benjamin Hobhouse, bart.
 Sir Charles Edmonstone, bart.
 Sir James Shaw, bart.
 Sir William Curtis, bart.
 John Fane, esq.
 William Morton Pitt, esq.
 George Holford, esq.
 E. Bootle Wilbraham, esq.
 William Mellish, esq.
 The Reverend Archdeacon Pott.
 The Reverend Archdeacon Cambridge.
 The Reverend J. T. Becher.

The matron tendered her resignation, and requested the committee to accept the same.

Resolved,—That the matron's resignation be accepted, and that she be requested to officiate until another matron is appointed.

AT a Meeting of the Committee of the General Penitentiary, held 24th April 1820.

Present :

The Right honourable Sir A. Macdonald, bart. in the chair.
 Sir Charles Edmonstone, bart.
 George Holford, esq.
 The Reverend Archdeacon Pott.

PAPERS.

(June 17.)

Thomas Stone, who hitherto supplied turnery ware, and executed the cooperage required for the use of this establishment, attended and stated, that he had not recently received any orders, which, in his opinion, was occasioned by his declining to accommodate the steward with the loan of money; and Mr. Stone stated his having accommodated him with money, but latterly he had declined it.

Resolved,—That the committee be specially summoned for Saturday the 13th May, to take into consideration the conduct of the steward, and that the several tradesmen supplying the establishment be requested to attend the committee on that day.

AT a Meeting of the Superintending Committee, held 13th May 1820.

Present :

The Right honourable Sir A. Macdonald, bart. in the chair.

Edward B. Wilbraham, esq.

Davies Gilbert, esq.

George Holford, esq.

The Rev. Archdeacon Cambridge.

Several letters were read from the steward to Mr. Stone, soliciting the loan of money; which the steward acknowledged to be in his hand-writing.

Messrs. Bowditch, Bell, Kew, Mann, and Fitzgerald, tradesmen, and contractors for supplying the establishment with articles, stated that the steward had dealings with them, and had applied to them to discount bills, which Messrs. Bowditch, Bell and Kew, declined; that Mr. Mann had discounted two bills for the purpose of deducting therefrom the steward's private account; and that Fitzgerald had been in the habit of lending him from time to time monies on his own acceptances, from 10*l.* to 20*l.*

Mr. Hatch (the steward) acknowledged the statements of these persons to be true.

The visitor (Mr. Holford) detailed the result of an inquiry, which he had instituted relative to a pair of pistols, which had been ordered by the steward of Mr. Parker, without the governor's sanction, and which on presentation of the bill for payment had been directed to be returned.

The pistols were not returned, and on the application of Mr. Parker's man for them, the steward stated that the governor had them; but which on reference was found not to be correct.

Mr. Hatch denied having referred the man to the governor, and stated that he had apprized Mr. Parker that they were to be charged to his own private account, as he had disposed of them to a lieutenant in the navy.

The committee having maturely considered all the circumstances,

Resolved,—“ That the steward be dismissed from his situation.”

G. P. Holford,
Esq.

Mr. Holford.—I wish to add to these minutes the statement of a fact, in consequence of part of Mr. Pitt's evidence of yesterday, in which it was stated that Mr. Hatch was called upon to make up his accounts, they not having been looked into for a considerable time; the only money with which Mr. Hatch had been intrusted, was money for petty cash that sometimes amounted to fifty, sixty, or ninety pounds, arising from the necessity of providing for prisoners for what pardons were expected in the intervals between meetings of the committee, that petty cash was kept regularly, it was the duty of the examiner of accounts to look into that, and I have ascertained by inquiry of the present secretary, that that book appears to have been looked into as late as the month of February, Mr. Hatch being dismissed I think about the month of May.

You stated that it is the general practice in the prison to write to the friends, if they have been within reach, and that if they desired it, the bodies are given up to them, can you state whether any information has been sent to the friends of Rebecca Price and John Lampert?—In fact, that has been so generally done by the governor or the chaplain, principally by the chaplain, that we never have had occasion to take that into consideration with a view to make a rule upon it, if the friends of either of those persons have been written to, it was probably by the chaplain or the governor.

William Morton Pitt, Esq. a Member of the House, further Examined.

W. M. Pitt,
Esq.

WHEN did you receive the letter from the committee of the General Penitentiary, which was addressed to you, inclosing the statement?—On the 31st of May, at Kingston, near Dorchester.

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The letter bears date the 17th of May, as well as the inclosure?—It does so.

Can you account for the letter not being sent sooner?—I cannot; it surprized me rather, but I thought it of no importance; since that I have understood that some importance has been attached to it. But I do not know.

The letter was addressed to your residence in the country?—It was.

It would then appear that it was laid before the Committee of this House before it reached your hands?—Exactly so. I received a letter from a friend, who told me it was before this Committee; that letter I received on the 29th or 30th, and I did not receive the letter itself till the 31st.

From your attendance in the Penitentiary, and from your general observation, in what estimation did you hold the late physician Doctor Hutchison?—I can only repeat what I have, I believe, stated already to this Committee; I have known Doctor Hutchison I think nine years. Before I had the pleasure of knowing him, I had heard a great deal of his character; I have always been led to think very highly of him in every respect. I, of course, had a good deal of intercourse with him during the time that he has had the medical superintendence of the Penitentiary, and in every part of his conduct that has come to my knowledge, I have formed a most favourable opinion of him.

Had you any reason to think that up to the period of your quitting the attendance at the Penitentiary, any member of the committee entertained an opinion at all disparaging to him?—I never heard any thing of the sort till just before I left town last year, at the latter end of the month of May of the last year.

Was his care and attention to patients perfectly satisfactory to you while you were on the committee?—As I mentioned yesterday, I was visitor only a very short time, I said yesterday but six weeks, but I doubt whether it went beyond a month. I was twice visitor for a short time; I used frequently to confer with Doctor Hutchison on the state of the Penitentiary in a general way, and I thought the pains he seemed to be taking, were most exemplary.

His conduct was always satisfactory to you?—Oh! most perfectly so.

Mr. John Shearman, Examined.

HOW long have you ceased to be governor of the Penitentiary?—I think about six years.

How long were you governor?—About a year and a half.

From what time to what time?—It must have been from the beginning of the year 1816 to the middle of the year 1817; it is so long ago I do not recollect the dates.

You resigned your situation?—I did.

What was your reason for giving in your resignation?—There were several reasons operated on my mind; the first reason, which I think I stated in a memorial I sent in to the committee a short time before my resignation, I had conceived that I was the servant of the committee, and that all the executive part of the duty of the Penitentiary was to be done by my agency; but I found that, I have no doubt it arose from the purest motives, that visitors did that which I thought was not correct, because they went to the Penitentiary and gave orders and directions for things to be done to the inferior officers, which I thought ought to come through me; that was one of my reasons, that was repeated; prisoners were occasionally removed from one ward to another, I knew nothing of it, no communication was made to me, and if the inferior officers had a request, they got too much into the habit of reserving it to speak to visitors, that I conceived I was almost a nonentity in the situation, and I found that if I continued under those circumstances there, I should ultimately not be able to perform the duty of governor, and should get myself perhaps into disgrace, and that was the first thing that induced me to think of retiring from the situation.

Had you any other reason besides that?—I certainly had another reason; I certainly did think that there was a very painful system going on in the prison against the officers, by that degree of what I might term spyism; I have no doubt at all it arose from the purest motives, thinking it was the best way to conduct the establishment, setting up one person to look after another.

Can you state any instance in which you were able to detect that?—It is so long ago I cannot precisely; but there is one particular instance made a very strong impression upon my memory, and that was a conversation which took place between the master manufacturer, at the time a young man of the name of Webb, and the steward, and some other persons in the establishment, in which I was vilified a good deal, and a very honourable member of the Penitentiary was very much in the habit

*W. M. Pitt,
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*Mr.
J. Shearman.*

Mr.
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of correspondence carried on by letter between that member of the committee and that young man, and I thought there might be something respecting the Penitentiary, and I, perhaps erroneously, thought it ought to come through me if it was concerning the Penitentiary; I made a complaint to that visitor of the fact, and some investigation took place before the committee, at which I never was present, and even my feelings in that instance were not attended to, and what the result of my complaint was I never knew.

Who was that visitor?—Mr. Holford; I beg leave to say, that I am satisfied that there was the best motive on the part of Mr. Holford; but I did not like to remain in the situation under those circumstances.

What is the date of the memorial to which you refer?—I cannot recollect, I think in April.

Had there been any complaints against you before that time?—Not at all that I am aware of, unless it was that against which there was no rule, my going out too often.

Was there no complaint of too much relaxation of the rules of the prison?—Such a thing was never mentioned, to my recollection.

Had you given up your business as an attorney at that time?—Most decidedly I had.

Had you any bargain with the person in possession of your business, of such a nature, that the amount of the remuneration you should receive, should depend in some measure on the amount the business should produce?—Yes, I beg leave to explain that; when I quitted my business to go to the Penitentiary, and of course understood the whole of my time was to be devoted to that establishment, I certainly made an arrangement with a gentleman in the profession to take that business and allow me an annuity for introducing him into my connections, and so far from that which is supposed, instead of having a larger sum, if it did not amount to the sum, we understood it was to be decreased and not to be increased.

Did you ever give as a reason for your frequent absences, the necessity of collecting debts owing to you?—Yes, I believe I may have said that I went out occasionally to collect debts; I was suddenly taken from a twenty years practice, it was impossible for me to close all in an instant, I occasionally went out, as the rules permitted me to do, and I was catechised on the subject of being out.

Was it not a part of the rules of the establishment, that the governor should always enter his name in the book?—Yes; and I always did.

Did not the committee complain that your absence was too frequent?—Yes; and that was what I was hurt at, as I obeyed the rules, if the committee had pleased they might make a rule that I should not go out without the leave of the visitor; I then offered my resignation, I certainly felt indignant; perhaps it was wrong in me that I had too high notions about my situation as governor.

Did you not state, that unless the committee gave you a larger salary it would not be worth your while to stay?—That was one part of my memorial, but the least important to my feelings.

Was it not always a rule of the institution, that visitors orders were given in writing?—I am sure I cannot charge my memory whether there was any rule upon the subject, but it struck me, that that was the way in which it was to be done.

In point of fact, were all the visitors orders given in writing?—There are several instances in which persons were removed from one cell to another, in which I never saw the order in writing at all.

Do you conceive any visitor has authority to do any such thing, or ever had?—I am sure I certainly thought not; but it was done.

Did you make any complaint of that to the committee?—No, I did not, except what I hinted at in my memorial.

Did you, at the time those things were done, complain to the committee of their being done?—Certainly not.

Do you recollect a conversation to the following purport between Mr. Holford and yourself; that you said to him once, that officers in the prison often told you they had their orders from Mr. Holford, and that you hoped Mr. Holford would not consider you as acting improperly, if in answer to such statements, you said that you heard nothing of it from Mr. Holford, and should pay no regard to what they said upon such subjects; and that Mr. Holford's answer was, you would do perfectly right, for that Mr. Holford never gave orders but in writing, nor to any body but yourself, nor had power so to do?—No, I recollect nothing of the kind.

You

You state, that one reason of your resigning your situation was, because you thought there was an improper interference with you in your duties as governor?—Yes.

Will you have the goodness to state some instances of that interference, and by whom?—Mr. Holford was the most active gentleman there, and no man had more zeal in the establishment, or the welfare of the establishment more at heart, but Mr. Holford used to go in and give directions; and I remember instances of removals from shoemakers to tailors, and *vice versa*, which I only knew by going round the prison and finding the change of the prisoners, and when I asked the turnkeys how it came to be, they said Mr. Holford had ordered it.

Was it not a part of your duty, as governor, to attend Mr. Holford in his visits to the different wards?—No, Mr. Holford used to leave me in my place; I do not think it was his duty to take me.

Were prisoners ever confined, and liberated out of confinement, without your knowledge, as governor?—They were taken from one cell and put to another without my knowledge.

Whose duty is it to attend the visitor?—The visitor does as he likes, he goes where he likes, very frequently accompanied by the chaplain.

Were you not answerable for all prisoners in their confinement?—Certainly; and I was liable to be indicted if they escaped, I did not want to make enemies, and did not remonstrate when I saw it.

Was that a thing of common occurrence?—In several instances.

How do you know, that when the turnkeys told you they had done this by Mr. Holford's order, they told you truly?—Certainly, I cannot say that it was true, it still continued so, and if Mr. Holford had not directed it; with an acute mind he would have seen the change, and would have mentioned it to me, and inquired how it occurred.

How was Mr. Holford to know, whether it was done by your order, or by whom?—I believe they were classed by the committee.

Do you mean, that by Mr. Holford's orders, or by any order, but that of the committee, any first class prisoner was put into the second?—Certainly not; the circumstances which occurred occasioned so much mortification, that I wished to get rid of it, and it is with great reluctance I come here.

Did that interference, in the nature of spying, as you term it on the part of the task-master, Mr. Webb, occur in more instances than one?—I should hardly like to mention what he has said; I have a written report, which the steward made to me on one occasion, of what he did say.

Who was that steward?—Mr. Hatch was steward at the time.

Had you a good opinion of Mr. Hatch?—No, certainly not; nor had I of the master manufacturer.

Do you think that it is an indignity or an insult to the governor, that a member of the committee should correspond with particular servants in the establishment, such as a steward or master manufacturer?—No, I do not know that it is an indignity upon the governor; but I misconceived the intention of the legislature, I conceived, by reading the Act of Parliament, that I was to be the active party, and to be directed and controlled by the committee, and the visitors for the time being.

You took a very correct view of the subject; will you state the instances in which a different view of that was taken by Mr. Holford?—I do not know Mr. Holford's view, but in his zeal he did do it.

Will you state the instances in which he did do it?—I mentioned those instances of officers very frequently making requests to him for things that they wanted without saying a word to me.

Will you state the instances in which such requests were granted by Mr. Holford without consulting you?—It came to this, that, when I was listening to see what was said by the prisoners, they would say, we will wait till the visitor comes, and then ask him; and I found it in that state, that I thought I had better quit it. Another circumstance which induced me to be anxious to resign was, when the Penitentiary was first instituted, the governor's was a situation for life; he could not be removed from that situation unless he was guilty of fraud, or some negligence or misconduct in his office, that induced me to go into that situation, thinking it would enable me to support my large family for life. I had not been long there before that was changed by an Act of Parliament, which made me and all the officers, removable at pleasure. I did not like that; I thought that at

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some period of my life, when I was completely forgotten by the world, I should be dismissed, and I had better go when I had friends to look to.

You considered your tenure as insecure?—Yes, and altered, after my contract with the gentlemen; I remonstrated at the time against the act of Parliament.

What character did Doctor Hutchison, the medical superintendent, bear in the Penitentiary for attention to his duties?—I always found him very strict and attentive to his duty, and a very kind man. He attended the officers families occasionally when they were in sickness; and he always appeared to me to be a very kind, skilful gentleman, and most anxious to do his duty.

Was there ever any complaint made to you as governor, of his want of attention?—No, never; he generally used to be there most evenings. There were certain days, if he did not come in the day time, he came down in the evening.

Was his attendance as frequent as you think, as governor, it was requisite?—I always thought it was more; he did not appear by the rules to be required to come so often as he did.

Was he required by the rules to come at all, at the time you were governor of the Penitentiary?—I cannot say, indeed.

Was he medical superintendent while you were there?—He used to attend.

Was not he consulting physician, and was not his attendance as frequent or as seldom as he pleased?—Yes, that was his situation, I think, at that time.

In point of fact, did not he attend at that time, and was not his attention what you consider assiduous?—Yes, most assiduous.

Was his attention as regular when he received a salary from the Penitentiary as it was before?—I was not there, I had left before any salary was attached to his office.

Do you remember Mr. Holford having complained to you more than once, of your knowing but little of what was going on in the prison?—No.

Do you recollect Mr. Holford asking you about the bells, and your giving a different account from that given by the porter?—I do not recollect any conversation about the bells.

In what way were the orders of the visitor communicated to you?—I conceived they were sent to me for the purpose of my carrying them into effect.

By one of the rules, all the orders are to be given in writing, together with the circumstance by which they were occasioned, and to be entered in a book called the Visitor's Book, and reported to the committee on the next occasion?—The visitor's book is kept by himself.

Was not the visitor's book carried to you as governor?—No; it is a private book of the visitor, which the governor never sees.

Were you in the habit of receiving written orders?—I do not recollect ever receiving a written order from any visitor.

Do you know whether a rule, similar to that, was acted upon while you were governor?—Yes, I think there was something to that substance in the original regulations; there was a visitor's book at that time.

Do you mean to say, that with such a rule in the regulations, no visitor ever gave you a written order?—I have no recollection of receiving one, but it is impossible to charge my memory at the distance of six years, and having no documents to refer to.

If you did receive any they were so few as to have escaped your recollection?—If I did receive them they will be found in my journal, they will appear by the journal which is now in the Penitentiary, for it would be my duty to say, I have done so and so, by order of the visitor.

That journal was kept by you?—Yes, and it remains in the Penitentiary.

Have you any further information to give to the Committee?—In the examination which I accidentally heard yesterday, one of the charges against Mrs. Chambers was, for having washing done in the laundry, and Mr. Holford added, and the governor, contrary to the rules; Mr. Holford did not mention that the chaplain also had his things washed in the laundry at the same time, and that there was no rule against it at that time, in consequence I believe of its having been done at that time, and the officers having no convenience to wash at all, there being no arrangement made for our washing being done, and we being obliged to send out; the rule was then made that it should not afterwards be done.

Was there not a rule, that all work done by the prisoners should be charged, and they should have per centage upon it?—Yes; I think there was.

Did not the chaplain, in consequence of its coming to his knowledge that things

had

had been sent from his house to be washed, communicate it to the committee, and bring the subject before them?—I do not know, indeed.

Did you not tell him that he was very unwise in so doing?—Certainly not; because I was not aware myself that it was done till it was discovered; it was a matter agitated among the females, that as soon as I heard of, I said it was improper, and that I did not wish it to be done.

Do you mean to say you brought it to the knowledge of the committee?—No; I did not know it till after it came to the knowledge of the committee.

Mr. Nathaniel Thoms, called in; and Examined.

WHAT situation did you hold in the Penitentiary?—Secretary and examiner of accounts.

How long did you hold that situation?—I was appointed on the 25th of March 1816, and resigned on the 7th of July 1820.

What was the reason of your resignation?—I really think there was no specific reason, nor none will appear upon the minutes, I am pretty well certain.

Was not the reason that you could not do the business of the Penitentiary upon the spot?—Indeed it was not.

Did you receive any intimation from the committee of the Penitentiary, that they were displeased with your conduct?—I did not.

Did you voluntarily resign?—I did.

Will you state for what reason?—If the Committee will allow me to state to them that I never solicited the situation that I then held; I was originally accountant-general in the transport board, and at the period the transport board with several of the naval departments, was about to be abolished, the situation of secretary of the Penitentiary was then vacant, and the late speaker, Lord Colchester, wrote to my Lord Melville for some person who had been discharged from the public service to take it; my Lord Melville wrote to Sir Rupert George, the late chairman of the transport board, and without my knowledge, I was recommended, and having been known to Lord Colchester, I had the honour of being elected; I had not long filled that office, when, I feel it necessary to state, the honourable member, Mr. Holford, selected me without solicitation to be the secretary to the supervisors of the building, for the erection of the Penitentiary; I continued this duty, I trust, satisfactorily to the committee, till about the period of my resignation; and I confess I do not mean to hold out any particular reason, but it appeared to me, perhaps improperly, that I had not the immediate confidence of some of the gentlemen with whom I was so immediately connected, and the emoluments arising from the situation being small, being obliged to give up a superannuation allowance which I was entitled to from the transport board; and it was intimated to me farther attendance would be required, and having been honoured with the appointment of secretary to the Commissioners of Inquiry into the Customs and Excise, that was one reason, but it was not my sole reason for resigning, but that I found I could not go on comfortably with the gentlemen with whom I had the honour to be acting.

What had happened that had interfered with your comfort?—There was an appearance of their being less satisfied, from what cause I cannot say.

What was the duty you had to do from your situation?—The duties of the situation were to attend all committees, to take the minutes, to examine and check the accounts, and to make the payments; of course all correspondence, all private communications, and every thing that was desired; at all times I was at the committee's command.

What was your salary?—My salary was 200 *l.* a year, for which I gave up a superannuation of 170 *l.*

Did you reside within the walls of the Penitentiary?—I did not.

What were the office hours?—There were no office hours; I went every morning to see what was to be done, and attended the meetings of the committee.

What length of time did you remain daily in the Penitentiary?—At the commencement, my time was much occupied with Mr. Holford and Mr. Morton Pitt, in copying the rules; there was no specific time; it would sometimes occupy the greatest part of two or three days in a week, sometimes less, when the committee were absent; during the six months when the majority of the committee were out of town, and there was not so much requiring my attention, I was seldom there except in the morning.

Were you always there when summoned to attend?—I generally received the

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visitors order to summon the committee, or attend them, and I never neglected in any one instance.

Was any complaint made to you, to your knowledge, that you had not given the full number of hours to the duty which the committee required?—In no one instance.

The Committee understand you to say, that during the whole time that you were there, no complaint was made personally to you that the committee were dissatisfied with your conduct?—Most certainly not.

Your resignation was voluntary?—It was voluntary, certainly; and when I state that I happened to be at a committee, I recollect the instance extremely well; I felt myself a little hurt at some observations that were made; perhaps I took a wrong view; I had an idea that another individual was soliciting my situation, and I thought the usual kindness not being displayed, was to make way for that individual; I was afterwards assured by the honourable member that that was not so, and I believe it.

Did that individual succeed you?—No, he did not.

Was not the impression on your mind, that it was intended to unite the offices of chaplain and secretary?—It was.

Can you, from your knowledge of the offices, suppose it possible any one man can do the duties of chaplain and secretary?—I do not think he could do it correctly.

Were not you desired to say from whom you heard that, and did you not say you would not?—Exactly so.

Did not Mr. Holford state, immediately on hearing it, that it was a proposition too ridiculous to be entertained by any member of the committee?—He did.

Who was the medical superintendent during the time you were secretary of the Penitentiary?—Soon after the opening of the Penitentiary, Mr. White, the present consulting surgeon, made an application to be appointed gratuitous surgeon. On the 6th of May, Doctor Hutchison made a similar application, to be consulting physician. There were also applications from Doctor Whitter, of the Westminster hospital; and from Doctor Harrison, to be appointed consulting physicians. Ultimately Mr. White was appointed consulting surgeon, and Doctor Hutchison consulting physician. This went on until March 1819, when an application was made to my Lord Sidmouth for Doctor Hutchison to be appointed medical superintendent.

Was he so appointed?—Lord Sidmouth returned for answer, that the act of Parliament prevented his appointing a medical superintendent; and in consequence the appointment did not then take place.

Was he subsequently appointed?—The Act of 56 George 3, chapter 63, which was then immediately passed, authorized the committee to appoint Doctor Hutchison, and under that act he was appointed.

Had you frequent opportunities of observing his conduct while you were secretary?—Very few opportunities, except casually meeting him on committee days.

Did not the proposal of appointing Dr. Hutchison medical superintendent, originate with Mr. Holford?—There is no minute of that kind; I conceived it to originate with Mr. Pitt.

Are there minutes made of all letters received and answered?—Yes, all made by me in writing; and I believe, with the exception of one minute which was drawn by Sir Archibald Macdonald, every one was drawn by me.

Was not a part of the unpleasant feeling entertained by you in consequence of the committee objecting to your going into the prison?—I am very glad that the opportunity is afforded me of going into that, which I had not intended; if the Committee will be so good as to look at the original rules, those in 1817, the fourth rule of the secretary's duties says, "he shall consider it as part of his duty to represent to the committee any irregularity, or other matter requiring their attention, which may have fallen under his observation." When Mrs. Sharpe, the matron of the Penitentiary, was appointed, the committee directed that the matron, as well as the governor, should keep a character book; the matron's duties are very laborious, and believing her to be as honest and as good a creature as ever lived, I certainly tendered my services to assist her in framing this character book; for this purpose I framed an outline, that no difficulty should arise or any unnecessary delay, because I never till that moment considered but what, with the proper officers, the secretary was entitled to go into the prison; I accompanied the matron to a cell; we had

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one of the turnkeys, and there was a sheet of foolscap, which I destroyed some time ago, so that I should fill in the prisoner's age, where born, and where convicted, and so on; I formed the character book for the matron with twenty characters; this book I produced to the committee on the following day after it was completed, and they were pleased, particularly Mr. Holford, to state their high satisfaction at the manner in which the thing was done; I proceeded with this. I should mention, at the same time, that the chaplain at the time was in a state of illness, and I told him, when I had the first opportunity of seeing him, what I had been doing, and there was some information which I thought he might like to put into his own character book; I found from the answer I got, that he considered I had been irregular in going into the prison; I may be wrong I am ready to admit, but instead of receiving my offer, he stated, that he was bound to receive it from the prisoner's mouth; the thing ended, and I was not aware that I had offended; but on the following day when I went to pursue this business, I received a message from the matron, that Mr. Bennett conceived my conduct highly irregular in going into the prison, and that he should represent it to the committee; I certainly, as secretary to the institution, thought, that if I had done any thing irregular, Mr. Bennett ought to communicate it to me; but I found that my conduct had been canvassed before the porter at the outer lodge; I wrote a letter to Mr. Bennett, and he went immediately to Mr. Archdeacon Pott, who no sooner heard of it, than he went to the prison, expressed his sorrow for what had occurred; the matron sent for me, I sat down in haste, and wrote a statement of what had occurred, and I sent it to Archdeacon Pott; he came to the Penitentiary the next morning, and said that he regretted the circumstance which had taken place; that he did not blame me for any thing but one word, which was insinuation; the consequence was, that it was stated by Mr. Bennett, that if I would allow I meant nothing by that word, it should all drop, and it did drop.

Was not the complaint of Mr. Bennett that you went round a part of the prison occupied by females, and took the confidential histories of the prisoners from themselves, and did he not consider that as an intrusion into his employment?—Mr. Bennett never expressed it to me as you have stated, the matron delivered the message; and there is the original letter to Archdeacon Pott, with an inclosure of the statement [*producing it.*]

Was not this matter afterwards brought before the committee?—Never; there is no minute of the kind.

Are you certain that the question never was canvassed in the committee?—Never, in my presence; I was never present, I never was asked to withdraw.

Did you, in point of fact, go into the cells of the female prisoners, and write their histories?—I went into a turnkey's cell accompanied by the matron, and the turnkey and the prisoners were sent for, I merely heard their names, ages, where born, where tried, and the rest of that, that is all I know of it.

You entered no narrative, no confession of guilt?—No, nothing of the kind, they described it as I dare say you are aware; I have been an unfortunate woman, or something of that kind, name, age, and where convicted, and so on.

Every thing you took down, was taken down in the presence of the matron and one of the turnkeys?—Yes.

Were you prohibited afterwards from going to the prison?—Certainly; it was intimated to me that the thing was irregular.

Can you state that any one of the committee has ever intimated that it was proper?—I had always gone accompanying visitors, governor, surgeon, and no objection whatever was made to it.

Could you have fulfilled your duty, in acquainting the committee with any irregularities, if you were not permitted to go in?—I think not; and that is the reason stated in my letter.

Can you state any instance of communication you made as to any thing which occurred within the walls of the prison?—Not from what passed among the prisoners; but there were a variety of matters, I was encouraged to communicate to the committee, that came to my knowledge.

Did you communicate to the committee any thing which occurred within the walls of the prison, in consequence of your being admitted?—The Committee will see in that letter, that there was a matter with Mr. Webb, the master manufacturer, which I should have been enabled to communicate, if I had been permitted to go into the Penitentiary.

Was it stated at the time you showed this to the committee, that you had been in

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the prison to collect this information?—I do not know how the committee could imagine I could obtain information without.

Might not the information have been given by the notes taken by the matron?—It might; but I do not imagine the committee ever conceived it was.

Did you consider that the chaplain of that institution took more upon him than became his office, and acted more like a visitor than a servant of the institution?—That is a question certainly of opinion only, but if I am obliged to state, I have no hesitation in saying, that I do not think any officer does his duty with more enthusiasm than Mr. Bennett has done it, but I very much doubt whether that enthusiasm has not led him to interfere with other officers, more than the rules laid down for him called for.

Do you know whether the present secretary ever goes into the prison?—I should presume not, he being so prohibited; but I have never been once into the prison since I left it.

Can you state any part of the secretary's duties that would require his presence within the prison?—I have only said, that, from the fourth rule, I conceive that if there was any irregularity in the prison, if any thing wrong went on in the concern, I was bound to state it to the committee.

Is there any thing in that rule that contemplates the irregularities as arising in the prison?—I do not know that there is; but Mr. Holford will, I am sure, recollect, that at the commencement of this establishment, when I had the honour of his confidence, as well as that of Mr. Morton Pitt, I was very much about the prison.

Is it not provided, that the governor shall not go into the female part of the prison without the presence of the matron?—It is.

Is there any such provision with respect to the secretary?—No, there is not.

Do you conceive you have a right to call on the matron to attend you?—Most unquestionably.

Is that by inference, or by any express direction of the rules?—By inference.

Is that inference collected from that part of the rules which requires the secretary to state to the committee any irregularity which comes to his notice?—It is my inference from it, and also the continued confidence I had with the committee at its meetings; not merely the inference from the rule.

In point of fact, you never did go into the female department unless accompanied by the matron?—Never, in any instance; I do not think I ever went unless there was a visitor or some person of distinction going round; it is within the knowledge of the committee that I wished to abstain from it.

Did Dr. Hutchison write to the committee to say, that his attention was too laborious, unless he was paid for it?—No, I do not recollect any letter of that kind.

Did he ever write to the committee to desire or to ask that the title of his employment should be altered?—I do not recollect his ever asking any thing of the sort; I heard a conversation in the committee upon the subject, but I do not remember any written application.

Are you quite sure there was no written application?—I am not; that was in the year 1819.

Were not you examiner of accounts?—I was.

Did you conceive that Mr. Hatch's accounts were in a proper state when he left the prison?—In a very improper state.

Had they been examined recently?—They had.

Were all the accounts properly vouched?—Very incorrectly.

Was that brought before the committee?—Several times; I can give the dates.

What money had Mr. Hatch in his hands?—He had a certain sum issued for petty cash, under an order from the committee that he should receive so much, but when the prisoners came to be discharged more numerous and they were entitled to more, it was necessary to impress more to him, and he was deficient on leaving the establishment.

How much?—Fourteen pounds.

Will you undertake to say, he did not owe forty pounds?—Upon my word I cannot say; there was an accountant to make up his accounts.

What character did the medical superintendent bear among the officers of the establishment?—I can only state, what has been matter of general conversation, that he has attended many of their families with a great deal of attention and skill.

Did you ever hear any complaint of his want of attention to the prisoners?—Never.

In

In the letter you have given in, the leading points of which you state in your evidence, you refer to an instance of irregularity which you think, had you had a free access to the prison, you would have had an opportunity of proving, and of course correcting; to what do you refer?—I think, to the best of my recollection now, it was some irregularity of the master manufacturer in the female prison, taking in some blankets.

Was that communicated to you by one of the prisoners, or did it pass under your observation?—It was a mention made of something in the storeroom, not by the prisoners. I had no opportunity of conversing with the prisoners; but there was a rumour, from the time I commenced to the time I left it, of improprieties.

Who was the governor at the time?—I think, Mr. Ryde or Mr. Couch.

Do you know who Mr. Ryde was prior to his being in that situation?—He was managing clerk to Mr. Maberly.

Had he been anything else previous?—He had been with an army clothier in Parliament-street.

Had he ever been a stage-player?—No; but I believe he had practised at private theatricals. Mr. Ryde was the governor at that time.

Who succeeded Mr. Ryde?—Mr. Couch.

The Committee have been told by several witnesses, that a system of espionage existed throughout the prison, which has been considered by those witnesses as very injurious to the good order and good arrangement of the prison; has any thing of that sort come to your knowledge?—In answer to that I should say, that, from the earliest period, certainly the active members of the superintending committee gave great encouragement to receive any information from the respectable officers, I believe with a view of putting the prison in its best possible state; that encouragement was caught with avidity by a great many, I infer, for the purpose of cultivating the good opinion of those gentlemen conducting it; and I am induced to think that, in many instances, their zeal overstepped perhaps the strict line of truth; for I must say, that during the whole period I was there, there was a continual complaint, one officer against another, and a system that was quite unpleasant in an establishment of that nature.

Have you any further information you wish to give?—No further; I attend here in consequence of the wish of the Committee, not my own.

Were you in any way an accountant with the establishment?—There were certain sums I expended; a draft for salaries, for instance, came into my hands; and, therefore, I may be considered in some measure an accountant.

In what manner were those drafts drawn; were they payable to the individuals?—No; I used to submit the account of the salaries due to the individuals; it was summed up, and a check drawn on the Bank of England, and I received the money, and paid it into my bankers, and paid those sums.

Were the per centage accounts kept in the same way?—No; owing to my trusting too much to others, I was minus 17 *l*.

Did you see that the turnkeys got the per centage they were entitled to?—I got the receipts, I saw that they got their per centage; I gave the money to the master manufacturer to be distributed to those respective turnkeys.

When you received drafts for tradesmen, did you pay them into your bankers or to the tradesmen?—If they were specific drafts I paid them to the tradesmen; if twelve pounds, for instance, was paid in one check to pay different bills, I paid it in to my bankers.

What was the specific sum under which a check was not drawn?—There was no specific sum.

Was not it ten pounds?—No, there was no specific sum.

Have you any further communication to make to the Committee?—I only would wish to say, in answer to those questions just asked me by Mr. Holford, I trust it is not intended to be inferred that there was any want of attention in respect of the payments; if so, I would wish to put in a testimonial I have from my Lord Colchester of the attention I have paid to the institution.

[The witness delivered in the same, which was read, as follows:]

“ Lord Colchester begs leave to acknowledge Mr. Thoms’s letter of this day, and to acquaint him that he will very readily sign the minutes of the Penitentiary Committee for those days on which he was in the chair, if Mr. Thoms will bring him the minute book at ten o’clock upon any morning next week.

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" Lord Colchester thanks Mr. Thoms for his obliging congratulation, and assures, Mr. Thoms, that it has always afforded him the highest satisfaction to have contributed to the placing of Mr. Thoms in the important office which he holds in that establishment. The utility of Mr. Thoms's services there are, as Lord Colchester has had the opportunity of knowing, very justly and deservedly appreciated by the gentlemen who direct the management of that great national undertaking."

" Palace-yard, 3d June 1817."

How many months was Lord Colchester in the committee?—I believe about a twelvemonth.

Were there not many instances, just before you went away, in which Mr. Holford complained to the committee of certain stores in the part of the prison occupied by the females which he could not, by reference to the accounts of the steward, explain or understand?—Yes.

Were not the accounts of Mr. Hatch, when they came to be looked into, extremely defective for a long time back?—Yes, they were.

Was not it your duty to bring them before the committee?—I did; and I will beg to state, that Mr. Webb's accounts, which it cost the public £. 300 to set to rights, I represented repeatedly to the committee the manner in which he kept them, and that it was such that the best accountant in London could not detect them.

Will you give in the dates?—On the 28th February 1817, there was a sub-committee to examine the books to the 31st December of the preceding year, on my representation.

The account of Mr. Hatch?—The accounts generally; I complained that the persons appointed to those situations kept their accounts in such a way that it was impossible for the accountants there to detect them.

Was not Mr. Hatch an extremely good accountant?—Yes, he was too good an accountant, as it appeared.

Would not that of itself create suspicion?—The greatest part of his accounts defied detection.

Do you mean to say that his accounts appeared to be correct?—Yes, until towards the close.

You have stated that it cost the public 300*l.* to remedy Mr. Webb's accounts; what do you mean by that?—The accounts of the manufacturing department were in such a state, that during the time I was there I could not pretend even to go into them, and an accountant was specially appointed to put them into a proper state to lay before the committee, if they were called for. Mr. Auld, the present secretary, was the individual nominated for the purpose; it was a work of very great labour; and I believe it took him very near twelve months to put them into a proper state.

What did he receive?—He was paid as an accountant for his time.

How do you know that it cost the public 300*l.*?—While I was there I got a draft, in part payment, of 200*l.*

Upon whom?—Upon the committee.

Did not Mr. Auld lay down a regular system for carrying on the accounts?—Yes.

You have said, the gentlemen of the committee generally encouraged that system of spying, and of communicating things to them?—No; I beg to say I did not state that, but that there was a general encouragement held out for information; I believe, with the best views, but that it tended to create a great deal of jealousy among the different officers.

Was there any particular member of that committee that gave that encouragement?—No, I cannot say that there was any particular member; Mr. Holford and Mr. Morton Pitt were the active members; at the commencement of the concern they were most anxious to receive information, and I fear the individuals who were asked, gave much more than they were desired to give.

Do you recollect any particular instances to which you can refer, as exemplifying the correctness of that statement in which persons have overcharged their statement?—I do not know, with respect to overcharging, whether I can adduce any particular instance, but I can produce several instances, which, in my opinion, have operated very prejudicially to certain individuals.

Will you have the goodness to mention the instances?—I think in the instance of the first matron, Mrs. Chambers; there was a great deal of insinuation, which led the committee to suspect her of a great deal more fraud than ultimately came out.

Was

Was not that proceeding founded on evidence taken before the committee?—It was before it was taken before the committee; I am aware it was on evidence laid before the committee, but I am not certain whether it was taken before the committee, it is so far back as 1816.

Have you any other case?—I think the case of Mrs. Sharpe, the other matron, who was dismissed, was from similar causes.

Do you know at all the grounds on which Mrs. Sharpe, who was not dismissed, resigned?—I think, if any body knows, I know it; she was compelled to resign against her inclination.

Do you know the grounds on which it was intimated to her, that the committee wished she should retire?—I was present at the time of the whole discussion.

Do you know whether there were meetings held at the Penitentiary upon that subject?—I do not.

Do you know at all the grounds on which that lady resigned?—I know the grounds she stated to me; that it was from her disagreement with the chaplain.

Do you, or not, know that any charge whatever was brought against Mrs. Sharpe?—None; but she was very much perplexed in her duty.

Had you an opportunity of judging, with regard to the management of the female prison, whether she had the activity and energy fitting her for her situation?—I think I never saw a more active and intelligent woman.

Did you ever see her, in the execution of her duties, in the part of the prison occupied by females?—Only occasionally, when I accompanied the committee.

Were you in the habit of accompanying the committee frequently?—Very frequently, on the Sunday after service.

Were you there when the riot took place in the chapel, and the bread was thrown?—I was not there on that Sunday.

Do you know why Mr. Ryde was dismissed from his situation?—I believe his temper was not of the best sort, that he wanted a great deal of temper, and that he differed very much with the visitors and the committee.

Did you think that the medical superintendent's temper was bad or good?—I never had an opportunity, except that of common politeness, of observing it.

Mr. Robert Auld, called in; and Examined.

WHAT office do you hold in the Penitentiary?—Secretary, cashier and accountant.

How long have you held that situation?—Very nearly three years.

Did you, by orders of the committee, send that letter to Mr. Morton Pitt [*a letter being shown to the witness*]?—I did.

What date did it bear?—The seventeenth of May.

Did you send also that enclosure?—I should suppose I did.

Is that your hand writing on the outside?—It is not.

Do you know whose it is?—I do not; I cannot charge my memory whether I made up the packet containing this or not; but that I sent it the same morning immediately that I came to town, the same morning that I had finished copying it, to the two-penny post, in my neighbourhood.

On what day?—The nineteenth; the Monday following the Saturday.

Your letter is dated the seventeenth?—It is.

Look at the post-mark on the letter you have in your hand, and see what date it bears?—The 30th of May.

Can you account at all why that letter, which you say was sent on the 17th, did not reach Mr. Pitt till the 30th?—I cannot.

You are certain as to the fact of your having put up that letter and its enclosure?—I beg pardon; I cannot say whether I made up the packet, or my son did it.

Is that your son's writing?—It is not; nor any person in my employment, nor about my house, writes such a hand.

Did you put the letter yourself into the post-office?—I did not.

Whom did you send?—I cannot say whether my servant or my son.

But you have a distinct recollection of having sent the letter on Monday the 19th?—I have; the committee sat very late on the Saturday evening; my son copied it on the Sunday after he came from church, and we brought it up on the Monday morning; I am quite puzzled to account for the two coming separately.

*Mr.
Nathaniel Thoms.,
(June 17.)*

Mr. R. Auld.

Mr. R. Auld.

(June 17.)

Mr. Pitt.—I think I can account for this; it would have been overweight if the whole had gone together, and the two sheets were put up in two covers.

Do you think it was done at your house?—I do not think there was any one there who would be so thoughtful.

Mr. Auld.—I was anxious that the letter should reach Mr. Pitt early; I put it into the two-penny post, knowing that the messenger would not be there so early.

Did you direct it to Mr. Pitt's house in the country or in London?—To Mr. Pitt's house, N° 20, Dover-street; I think I ordered the postage of the letter to be paid also.

You were called in to look into the accounts of the master manufacturer some time ago?—In the month of February 1819, I was first employed in the Penitentiary.

Who was your accountant?—Mr. White.

You laid down some system or scheme for keeping those accounts?—I did; I submitted to the committee the scheme which is now in practice.

You looked into Mr. Hatch's accounts?—Since I was appointed.

In what state did you find the accounts of Mr. Hatch?—That was a very laborious matter taking them up from the first commencement of the Penitentiary; I found them very much confused.

Were they upon the face of them fair accounts?—Upon the face of them they were; it was a minute investigation which led to the proof of their having been improperly made out.

Were there not many things charged twice?—There were.

Did you examine the account of petty cash?—I did.

Is not that a very simple account?—It is.

Were there many errors in that account?—A good many.

Do you recollect what the balance appearing upon the face of the account was?—To the best of my recollection there were two balances, a balance on a sum of money impressed into Mr. Hatch's hands, 15*l.* and on the petty cash account a similar sum.

Did that balance turn out to be diminished or increased, when you looked into the account?—Very much increased.

Was it not a simple account to make?—Yes; there was no great difficulty.

Were there any other accounts you looked into?—Yes, the master manufacturer's account.

Were there any material errors in that account?—It was a most confused managed department, from beginning to end.

Was there strength enough in that department at that time, to keep the accounts according to the arrangement you proposed?—There certainly was not.

Could the accounts have been kept on the principle laid down by you, without additional clerks?—They could not.

Did you examine any other accounts?—I examined the whole accounts connected with the Penitentiary establishment.

Did you examine any accounts of the late secretary?—I did, the whole.

Were those accounts in a correct state?—I cannot give the term incorrectness to them, because it was simply a cash account, bearing, no doubt, on the other account.

Was a great deal of trouble taken by a sub-committee of the Penitentiary, to examine that account, and to state what items should be allowed, and what not?—There were several little omissions, but of a very trifling nature on the whole.

Were all the omissions trifling?—The principal deficiency arose upon the payment of the per centages, which was a very intricate and confused account.

Was there not a considerable deficiency of vouchers?—A considerable deficiency of vouchers, part of which Mr. Thoms afterwards supplied.

Was there any instance of a bill presented for payment, which had been paid by the committee;—There was an instance of a person applying for a sum of money which had stood to him as paid in the cash book, but it was one of those, the voucher of which had not been given in by Mr. Thoms.

No draft had been issued for that sum?—A draft had been issued for that sum.

What had become of that draft; does it appear that that draft had been paid to the tradesman?—It had not, from the application of the tradesman.

What was the amount of that draft?—To the best of my recollection, from forty to forty-five pounds.

What

What is the rule now, in regard to the extent of the sum, for which any draft is issued to the secretary?—The Bank of England will pay no checks under 10 *l.* consequently all tradesmen's bills of less than 10 *l.* are put into *cumulo*, and a check given for the whole.

Mr. R. Auld.

(June 17.)

Was that rule established on your coming into the office?—I believe not; because the same practice appeared to prevail when I came in; I was very desirous that the Bank of England should enable us to make out checks for all sums, but which was declined, notwithstanding the attempt to obtain it.

Was there not a great deal of trouble before the account of the late secretary was reduced to order?—There was.

Was there not a sub-committee to examine that account?—There was.

Who were the members of that committee?—Mr. Holford, Mr. Morton Pitt, and Mr. Davies Gilbert, to the best of my recollection.

Since your appointment, has the business of secretary always been done upon the spot?—It has.

Was it not made a condition with you that it should be so, at the time you came into office?—Yes; but there was a sort of agreement made between the committee and me.

Was it not always done either by yourself or a gentleman on the spot?—It was.

William Burnett, M. D. called in; and Examined.

HAVE you been good enough, according to the wishes of the Committee, to visit the Penitentiary this day?—I have.

Dr. Burnett.

What was the state in which you found it?—I found a considerable number labouring under a complaint in the bowels, but none in a very dangerous state.

Were there many cases of scurvy?—I cannot positively say that now; there were certainly what may be called the remains of such appearances, and from the examination I made I have no reason to doubt the fact.

Do you consider the dietary existing there as connected with the scurvy or the bowel complaint?—In some instances it appeared to have been quite connected with it, in other instances I cannot trace any thing of the kind.

Was the medical treatment that is now practised shown to you?—It was mentioned to me; Dr. Roget answered every question I put to him respecting the treatment of the sick patients, but I saw no written account of it.

Do you consider that treatment to be salutary?—Perfectly so, highly so.

Have you ever served in His Majesty's service?—About seven or eight-and-twenty years in the navy.

Of course in all parts of the world?—In most parts; I have never been in the East Indies, but I have been in most other parts.

Have you seen cases of scurvy?—I have seen many, in different climates.

Did the appearance of the patients in the Penitentiary, bear any resemblance to that disease you have seen in other countries?—Not very strikingly so, except in two or three instances; I do not mean from that to infer that it is not the scurvy, but I refer to the present appearance.

Have you been accustomed to use the same medical treatment as you saw exhibited in the Penitentiary?—I have rarely had an opportunity of doing that, and have never used that practice in that form of discipline.

Not having used that yourself, from the appearances you have seen in the Penitentiary, you consider it as highly salutary?—Perfectly so.

And are quite satisfied, that the patients have been medically treated as they ought to be?—Yes.

Did you examine any of the patients yourself?—A great many.

Did you examine their mouths?—I looked at the mouths of a great many.

And their gums?—Yes.

The feet?—Not in many instances; but whenever there was intimation of the patient, that they had any thing like the appearance of livid spots, then I examined their feet invariably.

Would you recommend mercury to be given in cases of scurvy, in preference to the lime juice?—Certainly not, if it were unconnected with other disease.

Do you consider that diarrhoea as infectious or not?—I can hardly give an opinion upon that; I never saw it under such circumstances as made me believe it was so. I have had a great opportunity as physician of a fleet, and a surgeon of a very large hospital.

Dr. Burnett.

(June 17.)

The subject of infection is such, that medical men decline giving an answer upon it?—Very much so.

Can you form an opinion, whether the disease now existing in the Penitentiary is infectious or not?—I have seen so little of it, I must decline giving an opinion upon that.

What effect would change of air have upon the prisoners?—A very good effect, certainly; though I saw nothing indicating dampness.

Should you think the site had any effect?—I made but a cursory observation upon it; but I know the situation it was in formerly, a very damp situation, for I have seen it; how far that has been corrected by the measures taken I cannot say.

There was nothing in the appearance of the inmates, the officers for instance, that would lead you to think their health had suffered by the situation?—Nothing whatever.

Would not you treat the patients very differently, now that they have the diarrhoea, than if they had only the scurvy?—Certainly; besides the symptoms of scurvy at present are of very little consequence; I find by the Report they have been much more.

Did you see the body of the man who died yesterday?—Yes.

In what state were the intestines?—They were in a state of ulceration.

What do you believe to have been the cause of his death?—I should think the state of ulceration of his intestines, and the effusion.

Is that one of the characters of scorbutic dysentery?—I believe it is, but I cannot speak from personal knowledge, not having made a personal examination of that kind, after scurvy.

What would you recommend, as the best thing to endeavour to stop the disorder prevalent in the Penitentiary?—I think a change of air would probably be the best thing.

Any change of diet?—I have not given the diet much consideration, but being informed upon it, I see nothing objectionable in the diet at present.

Have you seen the diet table that was given to them when the complaint first broke out?—Yes, but I have not given it that attention which I would have done, had I been aware that I was coming here.

Do you think it was from poorness of food that this complaint originated?—I should be disposed to think that was the case.

Now you have seen the effect of the disease in producing ulceration in the bowels, in regard to the person lately deceased, would you nevertheless deem it judicious to give them mercury?—Certainly.

Dr. Hutchison, further Examined.

Dr. Hutchison.

ARE you aware that the cook who gave you the information in respect of the quantity of meat on an ox-head, has stated to the Committee that he did not weigh the bone, and then deducting that, considered the remainder the quantity of meat, but boiled it for many hours, and then re-weighed the meat on taking it out, does the knowledge of that fact alter your calculation?—I stated in my evidence that I had asked the question of the cook; could he ascertain the quantity of meat on an ox-head? he said, by weighing the head before it went into the copper, and then weighing the bones afterwards.

Are you aware that the cook has now given a different account of it to the committee?—I have not given the evidence much consideration.

If the cook weighed the meat when it came out of the water, instead of when he put it in, would it not materially alter the conclusions you have made?—I should think it might. I would beg again to say, that the information I first gave to the committee by letter, with regard to the weight, (for I believe I was the first person to inquire into the circumstance of the quantity of meat upon an ox's head); the evidence I gave was from the cook, whom I found afterwards to have misled me; he gave me the weight of two heads, I now understand, in place of one. In the calculation I made, I referred to the printed Report of the Physicians, in which it will be found that each man had an ounce and a quarter of animal matter each day.

Was that amount made out from an examination of the men themselves?—I cannot say.

[*Mr. Holford delivered in the following paper, which he had received from one of the cooks at the Penitentiary:*]

“ June 17th.—Pentagon 6.

Ox heads, weighing one with another	27 lbs. when cleaned	-	21 lbs.
Meat taken from the bone	-	-	12 lbs.
Bone	-	-	9 lbs.
Snotters	-	-	6 lbs.

“ *Stephen Davenport, Cook.*”

Mercurii, 18^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

[A LETTER from *Mr. Morton Pitt* was read, in which it was satisfactorily explained to the Committee how the mistake arose as to the delivery of the letter sent from the Penitentiary Committee to him on the 30th of May last: The letter was sent to Mr. Pitt's house, in Dover-street, and it being overweight was opened by one of the servants in the house, and forwarded to Mr. Pitt in the country.]

Sir Gilbert Blane, Baronet, called in; and further Examined.

DID you visit the Penitentiary yesterday?—Yes.

In what state did you find it?—I found a considerable diminution of the scorbutic symptoms, and I made a more exact and particuar examination than I did before, and as I might make a mistake, I have committed it to figures, and as they are not easy to recollect I will read it.

*Sir
Gilbert Blane,
Bart.*

(June 18.)

[*The witness read the following paper:*]

Number of Persons not under Medical Treatment, examined by *Sir Gilbert Blane*,
at the National Penitentiary, the 17th of June 1823.

Men	-	-	-	91
Women	-	-	-	58
Total	-	-	-	<u>149</u>

Of these, three were affected with symptoms of scurvy, namely, discolouration and roughness of the skin of the legs; induration of their fleshy parts; gums red, swollen, or ulcerated; all apparently convalescent, but some of them complaining still of pains in their extremities; preternatural languor and debility;—

Men	-	-	-	19
Women	-	-	-	10
Total	-	-	-	<u>29</u> nearly one-fifth of the whole.

Exclusive of these, there were some who had their gums affected without their legs being affected, as follows:

Men	-	-	-	11
Women	-	-	-	13
Total	-	-	-	<u>24</u>

Of these, some were ascertained to have undergone a mercurial treatment, in a recent bowel complaint; in others it was a symptom of scurvy.

As I have found that some of my former evidence had been misunderstood, I have also put in writing what remarks occur to me, which I will read; I was informed that there were 460 persons in the infirmaries, or under medical treatment, of whom 400 were affected with bowel complaints.

I have no doubt of this bowel complaint being one of the forms of scurvy; for, 1st, It obviously owed its existence to the same causes as the others, the chief of which was scanty diet;

Sir
Gilbert Blane,
Bart.

(June 18.)

diet; 2dly, It has been in many cases attended with discharges of blood, to which scorbutic affections are extremely prone, from the great tenderness and weakness of the extreme vessels; 3dly, The state of the intestines, on examination by dissection, are found in a state analogous to the external parts affected by the same disease, namely, the effusion of blood under the surface, and a great propensity to bleeding.

It must be acknowledged that this early appearance of diarrhœa, dysentery, and inward hæmorrhage in this disease, is much more frequent in that which appears at land than that which occurs at sea; that which is met with at sea seldom appears till the last stage of it; those authors who describe the former make much more mention of flux and hæmorrhage from the bowels, also of bleedings from the nose, than those who treat of it as it appears at sea; it is natural enough to suppose that there should be some difference in those cases which arise from scanty *fresh* diet from those which arise from scanty *salt* diet.

With regard to the expediency of mercury in this disease, it is universally reprobated by all the medical officers of the navy; I shall mention but one fact quoted by the English authors on this subject, and well known to the medical naval officers, Dr. Kramer, physician general to the Imperial armies in Hungary, in the year 1720, states, that this disease broke out at that time in this army, and being a new and singular disorder, some of the physicians thought it expedient to make trial of mercury; four hundred men were subjected to salivation, not one of them survived.

I do not mean by this to inculcate the physicians who have been employed in the Penitentiary, for I do not find that they have directed mercury for the scurvy as such, but for the bowel complaint; nor have they carried it to the same excess as in Hungary, I will even go so far as to say, that, however improper this remedy may have been in the beginning, in the first stage of this complaint, while the scorbutic diathesis existed, it is perhaps as good a method of cure as they could follow; now at the end of some months, when this diathesis is become extinct, for I have myself found some cases in which the disease had been long protracted, even longer than those now under cure in the Penitentiary, in which mercury proved a cure after all other means had failed, as I find in the notes of my practice in St. Thomas's hospital.

It never can, in my opinion, be sufficiently deplored that the physicians who have lately been employed in the Penitentiary were not aware not merely of the *superior* virtue, but of the *peculiar* and exclusive virtue of lemon juice, in all the forms of this disease, for I am convinced, that if on the first appearance of the prisoners constitutions being tainted with this disease, they had all been put under a course of this specific, the malady would have been prevented, and cured, *in limine*, in the course of a very few weeks after it was detected.

With regard to the employment of the citric acid in scorbutic dysentery, I know, from the numerous reports made to me in the journals of surgeons, that it is not only innocuous, but beneficial, in those cases which occur at sea, and with regard to those which occasionally occur at land, we have the authority of Dr. Broussel and other writers, that it was found beneficial in those cases of it (and also in other cases besides the scorbutic) which supervened on scurvy in the French armies in the last war.

Are you aware that the two medical officers, who now have the charge of the Penitentiary, were in the practice of giving the citric acid immediately after they entered on their charge?—No, I did not know that.

Then that part of your observation, in which you state it is to be deplored that it was not given, is no longer to be taken in that sense, when you understand, in fact, it was given?—I cannot quite concede that, because there are certain correctives it might have been expedient to have used.

What are those correctives?—The opiates.

But if you learn that the opiate was exhibited along with the citric acid, should you not then think that the medical officers have done all that was required of them in that particular?—That is well ascertained, if the opiates were judiciously used.

Are not the greater number of cases you saw yesterday bowel complaints and diarrhœa?—400 out of 460 in the infirmary.

And the Committee understand you to say, that in those cases you think the exhibition of mercury, as now given, has been advantageous?—Yes.

In point of fact, is not the giving of mercury in simple scurvy universally disapproved of in the profession?—Entirely; I could not speak it stronger than to say, that when I had the direction of that part of the service of which I was a commissioner, if I found a navy surgeon by his journal, who had given a particle of that medicine in sea scurvy, I should have felt it my duty to move that he be struck off the list.

What is your opinion as to the contagious character of the diarrhœa now existing in the Penitentiary?—I should think it not contagious.

Are you aware that three out of the four cases of prisoners who have been in but ten days have got the complaint?—Dr. Latham mentioned to me in the other room, such had been the case.

Does that fact at all shake your opinion as to its being contagious or not?—I own I have

I have never been able myself to ascertain exactly whether it be contagious or not contagious.

Peter Mere Latham, M.D. again called in; and further Examined.

Dr. Latham.

WHEN you were first called in to be one of the medical officers at the Penitentiary, did you use the citric acid?—Citric acid was given in the form of lemon juice to every patient labouring under the scurvy, the treatment of whom we superintended from day to day, all that were in the infirmaries.

(June 18.)

How long did that practice continue?—It continued for a considerable time in many of them; in some of them it was even never disused; in those in whom it was disused, it was disused because we were compelled to disuse it from its disagreement with the bowels, after trying every means we were aware of to make it agree, such as opiates and aromatics.

Do you mean to extend that answer to all the persons in the prison, or only those in the infirmary?—Only those in the infirmary; when I was examined before, I stated the reasons that induced us to prefer oranges to lemons, because we thought it more likely they would be taken.

Did you give the lemon juice with oranges?—To the prisoners in the Penitentiary we gave oranges, but only lemon juice in the infirmary.

Did the disorder sink under the administration of lemon juice?—Undoubtedly it did; but there are many now in the infirmary who were treated with lemon juice who are still ill, and in whom the diarrhoea now prevails.

You continued to use the lemon juice till you were obliged to abandon it, on account of its disagreement with the bowels?—Yes, and we returned to it again and again in the same patients, and only gave it up at length when we conceived ourselves entirely compelled to do it.

Did you give mercury to them?—Not at that time.

Nothing but lemons?—Lemons and opiates.

Were oranges given in the infirmary as well as lemons?—I do not think they were; we should have given lemon juice in the prison at large, if we had thought they would have been taken.

The Committee understand your objection to the giving of lemon juice in the Penitentiary generally, was the difficulty of getting people to take it, whereas by giving them oranges it was an indulgence they would receive?—Yes; the Committee may conceive a prisoner is a very difficult being to deal with.

Sir Gilbert Blane, Baronet, further Examined.

IS it considered a safe practice to give mercury in those diarrhoeas, the results of which are shown after death to have produced ulcerations of the bowels?—I know no fact that bears against it.

*Sir
Gilbert Blane,
Bart.*

The Committee think there has been some misunderstanding as to the evidence you gave the other day relative to your not having examined the legs of the patients at your first visit; do you wish to give any explanation upon that subject?—As *Dr. Latham* is here, I should be glad to ask whether he meant it to apply unqualifiedly; it is said simply, I did not examine the legs; I have asserted I had examined their legs.

In point of fact, did you examine the legs; you examined about thirty patients; did you examine the legs of nearly all of them?—To the best of my remembrance, I examined the legs of every one of them.

Dr. Latham.—I did not mean to state it in an unqualified manner; I meant to state that *Sir Gilbert Blane* had taken his test of the present existence of the scurvy mainly from the appearance of the mouth; that he did not pass over the legs entirely I know, for I saw him examining them.

To *Sir Gilbert Blane.*—Have you long known *Dr. Hutchison*?—Yes, twenty-two or twenty-three years.

Did his professional conduct ever come under your observation while you filled an official situation?—Yes, very much, when I was at the medical board of the navy, and since.

State to the Committee what is your opinion of him in his professional capacity?—I can say, from my most intimate knowledge of *Dr. Hutchison*, I never knew a more zealous, or more correct or skilful officer, among the many hundreds whose characters I am acquainted with.

Sir
Gilbert Blane,
Bart.

(June 18.)

If you had the selection of a medical officer, whom you would think peculiarly trustworthy both as to conduct and character, would you select Dr. Hutchison to fill that situation?—If not in preference, equal to any one I ever knew.

You thought the disease in the Penitentiary breaking down gradually, and in a more diminished form, than when you saw it last?—Yes, in number, certainly; I do not know whether in intensity.

Did you see the body of the man who died the day before yesterday?—I did not.

Mr. Archibald Menzies, called in; and Examined.

Mr.
A. Menzies.

HAVE you served in His Majesty's navy?—Yes.

For how many years?—I have been a surgeon since the year 1791.

Have you been in all climates?—Yes, in all climates.

You have made the circumnavigation of the globe twice?—I have,

Of course you must have seen many cases of scurvy?—I have.

Of scurvy in its simple state and accompanied with diarrhœa?—Yes; I have seen them both.

Cases under those two stages of the disease have been under your own professional care?—Yes.

What was the remedy or remedies you found the most successful in the two climates; be so good as to separate them if there is any distinction of the tropical climates and the climate of our own colder regions?—In all climates I have always found lemon juice, and in warm climates limes by far the best remedy.

Limes and lemon juice in cases of simple scurvy?—Yes.

Now in cases of diarrhœa, those diarrhœas that may be considered consequent to the disease of scurvy?—In those cases I have still continued the citric acid.

Did you ever find those diarrhœas so strong as to prevent you from continuing the use of citric acid, from disagreeing with the bowels?—In many of the cases of scurvy a gentle diarrhœa is favourable; I have generally found it so to the cure of scurvy; in that case I seldom give up the lemon juice, I might reduce it in quantity.

In those cases of severe diarrhœa what was the remedy then effectual?—I found joining opiates with the lemon juice to be very effectual.

Did you ever have any diarrhœas under your care which you could not conquer by using the opiate with the lemon juice?—Many.

What remedy did you use then?—I generally used then gentle aperients, such as Glauber or Epsom salts, in small doses, and joining them with opiates in the evening.

Did you ever use mercury in any form in diarrhœas?—I have, especially when I conceived it to arise from an hepatic affection.

Did you consider it an effective remedy?—Yes, I did.

Did you ever use it so as to affect the mouth?—No; I do not know that I ever carried it to that extent, particularly in a severe diarrhœa.

Did you visit the Penitentiary yesterday?—I did.

In what condition did you find the prisoners?—I attended there yesterday with Sir Gilbert Blane, and we first examined about thirty-seven of the old standards that had been, some of them four, five, or six years in the prison; we examined in all nearly ninety, the rest were new comers, and I think I may state there were, very nearly one fourth of them, more or less affected with the symptoms of real scurvy, many of them very slightly affected in a convalescent state.

Were you informed under what medical treatment that fourth were, who were affected with the real scurvy?—No, I was not.

Were you informed as to the medical treatment of those who were suffering under dysentery?—Yes; I was informed by the surgeon there.

Did you consider that treatment as salutary?—He told me it was, but the practice was new to me.

Who told it you?—Mr. Pratt, the surgeon of the Penitentiary.

Your knowledge then of it being salutary, rests upon the authority of the surgeon of the establishment, the practice being new to you?—Yes; entirely so.

Were any cases pointed out to you in which, in proportion that the mouth became affected, the diarrhœa diminished?—Yes; there were two or three cases pointed out where the patients themselves confessed when their mouths became affected they had fewer motions.

Were the appearances that you saw in the Penitentiary of the disease in those two forms, the simple scurvy and the diarrhœa, similar to the disease that you professionally

professionally have seen in other places on board ship?—The appearance of scurvy certainly was the same as I had seen at sea, and the diarrhœa I cannot altogether speak of, unless I had examined the motions and the general appearances of the prisoners, but I understood it arose in a good measure from the same causes that produced the scurvy, and it is not uncommon for diarrhœas to follow scurvy.

On board ship, in those cases of diarrhœa that terminate fatally, the bowels are ulcerated?—Very often.

Are you aware, that that has been almost generally the case, in those cases that have terminated fatally in the Penitentiary?—No, I am not; but in the cases of diarrhœa I met with during the American war, under the inspection of Sir Gilbert Blane, in the naval hospital, we always found the intestines ulcerated towards the rectum.

Is that ulceration a common circumstance attendant upon diarrhœas that terminate fatally; or is it peculiar to those diarrhœas that may be considered consequential to the scurvy?—Those that were consequential upon scurvy, generally have much the same appearance, a kind of redness and a suffusion of blood under the surface.

Is that a distinctive mark of scurvy?—I believe it is.

In common diarrhœas, are the intestines ulcerated that terminate fatally?—I do not know in common diarrhœas, but in fatal ones in continued dysentery, I have found it so.

Then the Committee may take it as a fact, that in dysenteries that terminate fatally, there is ulceration of the bowels?—Yes.

Do you consider the disease existing in the Penitentiary, as contagious?—No; I have not had that experience of it, to enable me to consider whether it is or not; I hardly consider it is.

You have not had the question before you sufficiently to form an opinion?—No; I have only heard of the case within these two days.

You have stated, that you think lemon juice is the most proper remedy in the case of scorbutic diarrhœa?—In scorbutic diarrhœas, I consider lemon juice a good remedy, but in hepatic diarrhœas, I would change the practice.

Do you think the application of mercury in the common scorbutic diarrhœa is an improper application?—It has been always considered so at sea.

Would you yourself, apply mercury in the common case of scorbutic diarrhœa, that diarrhœa that at present exists in the Penitentiary?—There is one thing I should state, the proportion of mercury they give in the Penitentiary, is very mild, and it is joined with opium, as I understood there, which is an excellent medicine in many cases of scurvy.

Does the soreness of the mouth, which is so much complained of amongst the convicts in the Penitentiary, arise from the disease itself, more than the application of mercury?—Among those that are in the hospital, I really believe it is from the mercury.

Do you think the application of mercury in that quantity, is a good remedy for the disease?—I cannot say; it is a new practice to me.

Is there any difference between the scurvy appearing upon land, and what is considered the sea scurvy?—Land scurvy is a kind of hepatic affection of the skin, quite different from the sea scurvy.

Is the land scurvy often fatal?—No; I never knew an instance of it.

Will you have the goodness to state, whether, in your opinion, there is any single case in the Penitentiary, where the soreness in the mouth arises from the scurvy?—The gums are often affected, when there is very little soreness; those that I call scorbutic, did not complain of much soreness, some did, and of bleeding.

Did that arise from the disease itself, or the mercury?—I constantly inquired whether they had been taking any medicine that affected their mouths; it is very easy to know the gums affected with mercury from those affected with scurvy.

Did you see any case where the affection appeared scorbutic?—Yes, I did.

And not from mercury?—Yes, two or three cases, where they complained very much of soreness of the gums.

Did that arise from scurvy or the mercury?—From the scurvy, I thought.

One of the leading features of the scurvy is soreness of the gums?—Yes, the spongy appearance of the gums.

Mr.
A. Menzies.

(June 18.)

Mr.
A. Menzies.

(June 18.)

Is it not a peculiarity of the scurvy appearing in the Penitentiary, that there should be so much diarrhœa, and so little appearance of scurvy in the gums, and so little appearance of spots upon the skin?—I am not sufficiently acquainted with the diarrhœa of the Penitentiary to give an opinion upon that question, one disease may be owing to that; perhaps that disease may produce the other, it may arise from spare diet or various causes.

Can you form any idea from what this complaint has arisen?—No, I cannot.

— Dickenson, M. D. called in; and Examined.

Dr. Dickenson.

HAVE you been a surgeon in His Majesty's navy?—In the army.

Have you served long in that capacity?—From the year 1795.

In different parts of the globe?—Chiefly in the West-Indies; in Europe; but chiefly in the West-Indies.

How many cases of scurvy come under your notice?—Not many; I have seen scurvy, of course; but not many cases of scurvy have come under my observation for treatment.

Have a sufficient number of cases came under your treatment, to enable you to take upon yourself to give the Committee any opinion upon the treatment of that disease?—From my own experience I should not feel justified in giving any opinion as to the treatment of the scurvy; I am well aware of what every other person almost is, what is considered and has been proved to be the most efficient treatment of the scurvy; but from my own experience, I should not be justified in giving any opinion as to that disease.

Have you had cases of the diarrhœa much under your attention?—Very much.

Did you visit the Penitentiary yesterday?—I did.

What was the state in which you found it, as to the health of the prisoners?—The cases I examined, were cases of diarrhœa and simple dysentery.

Do you mean by simple dysentery, a disease separated from the first disease; you have named diarrhœa so as to make two diseases?—Yes, two diseases; simple diarrhœa is however frequently accompanied by dysentery, and they exist together; but by simple dysentery, I mean to distinguish that disease from the disease accompanied by fever.

Did you consider the diarrhœa you saw yesterday, as belonging to the disease which has so long existed there, which has been called here scurvy?—No case of scurvy was presented to my observation yesterday, the only disease I saw was diarrhœa and dysentery; I can only speak as to the state of the cases yesterday, not being at all aware of the preceding diseases.

Were there not on some of the cases you saw, marks of the scurvy, though faint ones?—There were upon a very few cases; very few were presented to my observation where there were marks of scurvy upon the skin; they were very slight, only two or three; and there were no other symptoms of the scurvy than slight discolouration, very slight.

Was it explained to you the medical treatment that was used towards those patients?—It was.

Was that medical treatment according to the practice you have either used yourself, or seen elsewhere?—The medical treatment and the state of the cases yesterday, was to me very satisfactory; indeed I might venture to make an observation, to go so far as to say, that I should have as little doubt as a case of this nature admits of, that the present treatment of the dysentery cases will ultimately be as efficacious, as I have known the same treatment on many other occasions, where the disease has existed to as great or greater extent, and in a much more serious degree.

The Committee understand you to say, you have seen this disease, in a more aggravated form, give way under the same treatment now practised in the Penitentiary?—Yes; by that implying dysentery and diarrhœa.

Is it your opinion, that the disease, either of dysentery or of diarrhœa, is contagious?—I do not think that the information I have on the subject of the disease which prevails at present at the Penitentiary, is sufficient to warrant me in giving an opinion on that point. I can say thus much, that I never knew diarrhœa, or simple dysentery, contagious where I have had an opportunity of ascertaining all the facts connected with the disorder.

In those aggravated cases to which you have alluded, which have been under your

your care or observation, did you consider those diseases as contagious?—Decidedly not.

You have mentioned simple dysentery in the more aggravated forms of dysentery; do you consider that disease contagious?—I have never known it to be contagious; I believe the European dysentery has been considered contagious by practitioners very generally, and perhaps the disease that in Europe we speak of as dysentery may have been contagious; I cannot take upon me to say that it is not; my experience of dysentery in Europe is very trifling; but the tropical dysentery I never knew to be contagious.

Is it not an opinion entertained by some medical authorities, that those diseases of dysentery that exist sometimes in armies in the field are considered as contagious?—I believe very much so; they have very frequently originated in, and the dysentery has been accompanied by a contagious fever; but I never saw a case of that; it is the generally received opinion that they are so.

Then the fever would be considered contagious, more than the disease without it?—Perhaps entirely; the dysentery may only be considered a symptom of a contagious fever.

What is the distinction between dysentery and diarrhœa?—In dysentery there are discharges of mucus secreted from the surface of the intestines, frequently accompanied with discharges of blood with great pain, a peculiar symptom denominated by us tenesmus; that however occurs in diarrhœa, with liquid evacuations, but frequently, and most commonly, it has those evacuations simply; the evacuations are generally nothing but blood, without any feculent matter, or any of the watery character of diarrhœa. Upon examining the cases yesterday, though they seemed at first to appear more like simple diarrhœa than dysentery, yet upon a more accurate examination, the majority of the patients stated they had tenesmus, which would authorize me to call it dysentery.

Did you see the body of the man who died yesterday?—I did not.

Who accompanied you?—Doctor Johnson, Doctor Latham, and the surgeon of the establishment.

Then did you form your opinion from your own personal examination of the patients, and not the report of those who accompanied you?—From my own observation of the cases, as I saw and examined them.

Andrew Baird, M.D. called in; and further Examined.

WHEN you were last here, you stated you had served in the navy thirty-eight years?—Yes.

What was the extent of your duty as inspector of hospitals?—I had to inspect all His Majesty's naval hospitals and hospital ships, all the prisons, the prison hospitals and prison ships, throughout the kingdom; the marine infirmaries; and His Majesty's ships in commission.

Was that considered a very extensive appointment?—Very much so; it was the first appointment of the kind made by the government; I filled it on its first establishment.

How many years did you fill that situation?—I believe sixteen years.

Did you see many cases of scurvy?—I was going to observe when I was last here, that I saw it in a very deplorable degree on board the first ship I went to sea in, that was in 1781; the man of war I was serving in, performed the voyage to New York in sixteen weeks, a time that would almost seem incredible now; she went with a convoy, the scurvy made its appearance and spread very rapidly through the ship's company, we lost many men, and if we had been at sea a week or two longer, we could not have navigated the ship; when we arrived at New York, we sent a vast number of men on shore, in the very last stage of the disease; at that time we did not possess any idea of the remedy we now have, and consequently the means of preserving it and carrying it to sea were unknown; I mean lemon juice; the use of citric acid has been known from time immemorial, all circumnavigators have stated the advantage of it, and have resorted to it on getting into port; but the mode of preserving it at sea was not known till the year 1795 or 1796; the next time I saw this disease in a very spreading degree, so as to affect the whole fleet, at the time the very existence of the country depended upon that fleet keeping the sea, was in the year 1801, when my Lord St. Vincent took the command of the channel fleet; a short time after we sailed, not more than a fortnight, the scurvy

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made its appearance and spread very rapidly through the fleet; fresh provisions were not then supplied to the fleet as now, nor vegetables; being aware that lemon juice was then in store and could be drawn for the fleet, I expressed to the commander-in-chief my great anxiety that a supply should be had as fast as possible; the fleet was then blockading Brest; a cutter was dispatched to communicate the state of the health of the fleet; a supply of lemon juice came out, and we gave it freely to those labouring under the disease, and daily, mixed with water and sugar, to the whole of the crews of the ships, and continued its use during the time we were at sea, which was nearly seventeen weeks, during which time the fleet had not, as a fleet, a single fresh meal, nor any thing in the shape of an anti-scorbutic but lemon juice; the disease under the use of that, totally disappeared; we returned with twenty-four sail of the line into Torbay, out of which number there must have been ten or twelve three-deckers; and I think, estimating fairly upon the average, there could not have been less than seven hundred men in each; when we arrived, the surgeons of the fleet were desired to make a return of the number of patients fit for the hospital; they made a return of twenty-four; I was directed by the commander of the fleet to examine them, to see whether they were subjects for the hospital; I found eight of them were cases of hernia or surgical cases, that could not be benefited by the hospital; I selected sixteen from them; out of twenty-four sail of the line, besides fire-ships and transports, there was not a single case of scurvy; and what was extraordinary, to such a state of health was that fleet brought, by the use of lemon juice, that the *Glory* had only four men on her sick list, so that out of fifteen or sixteen thousand men, there were only sixteen men subjects for the hospital, and some of those ships had not lost a man at that time.

Were there in the first ship you have mentioned, in 1781, when you went to New York, and in the latter fleet, in 1801, many cases of scorbutic diarrhœa?—In the latter case we had recourse to the remedy so soon, that few cases of scorbutic diarrhœa did occur in the fleet, but in the former case it was always the last stage of the disease, dysentery.

Did you use mercury for the scorbutic diarrhœa?—No, that was a mode of treatment that never occurred to me; I should have felt I was prescribing very injudiciously indeed, when I have seen men who have been under a course of mercury, and had their health impaired and shaken by it, when I have seen those persons the most susceptible of scurvy, one would naturally not have recourse to such a remedy.

You have stated, in the first instance, that the disease of diarrhœa was the last form of the complaint, and in its most aggravated form?—Yes, the last stage of the scurvy; with the permission of the Committee I will go through the stages of the disease; the symptoms of scurvy that I have observed on its gradual progress are these; on the legs and lower extremities purple spots appear, first much resembling those you see on salmon trout; the gums begin to swell and become putrid, the legs and thighs swell much and become discoloured, the hams contract, great difficulty of breathing follows, a general loss of strength; and in the very last stage of it very often the skin becomes so distended as to burst, producing a sore, not resembling that which would arise from a wound or any other cause, not suppurating but oozing out thinner particles of the blood, bloody serum; and in the latter stage of it, dysentery attended with hæmorrhage and death.

And gangrenous and ulcerated bowels?—Yes, I conclude so; also, I ought to say, bleeding of the nose and those surfaces which are thinly covered with cuticle.

Is there any distinction between the common scurvy and sea scurvy?—I know of no scurvy but sea scurvy; I have heard of a scorbutic disease on shore, but it has nothing whatever to do with the sea scurvy; it is confined to the cuticle, and the constitution is not at all impaired by it.

The disease you are describing is sea scurvy?—Yes; and I would here observe a circumstance I should be glad to see upon record, it is of such moment, and a thing that has never been noticed by any author whatever. On the breaking out of these sores, whilst the patients were taking lemon juice, I blamed myself once for allowing my assistants to be too prodigal in the use of it, inasmuch as the smell in the cockpit gave me reason to believe it had been spilt, but it was the smell arising from the dressing of the scorbutic sores, while the patient was taking the acid, showing how strongly this remedy applied itself to the disease.

You

You have stated, in your account of the disease which you have witnessed, the diarrhœa to be the last stage of it, terminating fatally?—Yes.

To that stage of the disease, you have stated your objections to the application of mercury?—Certainly.

The Committee wish to know, if in a state of the disease in which the diarrhœa should be one of the earliest forms, would you object to the use of mercury?—Wherever there was an appearance of scorbutic taint, where I could identify it as scurvy, I should not feel it safe to prescribe mercury.

If you found cases, in which the exhibition of mercury had produced a stoppage of the diarrhœa, and in fact relieved the patient of the complaint, would you not consider it was a diarrhœa independent of the scurvy?—I would fear, that mercury would aggravate the scorbutic dysentery; so far from prescribing it under such aggravated symptoms of scurvy, or any symptom of it, in the exercise of my duty, I should have removed a surgeon for ignorance who had prescribed it.

If you found a patient relieved from the complaint, just in proportion as the gums became sore, and were affected by the mercury, would you not continue the use of it?—I think it quite impossible I could be brought to prescribe mercury in a case of scurvy; I never heard of it, nor read of it.

The question applied to cases of dysentery, with some slight remains of scurvy, exhibited with a discolouring of the skin; under those circumstances, would you or not give mercury?—My object would be to remove the scorbutic taint, and till that was gone, I should not apply the mercury.

Did you visit the Penitentiary yesterday?—No; in consequence of what I had heard of the disease, curiosity prompted me to visit it; I called at the Secretary of State's office, but I was given to understand by Mr. Capper, that there was an order issued against strangers visiting it.

The diarrhœa and dysentery often exist without any scorbutic appearances?—Certainly; from change of season, and so on.

Do you think citric acid would be a good remedy, applied either to dysentery or diarrhœa, in the absence of scurvy?—Certainly not.

Do you think that mercury applied to dysentery or diarrhœa without scurvy is an improper remedy?—In the acute stage of diarrhœa or dysentery, I cannot say; I have been in the habit of making that a remedy, but given in the chronic stage of dysentery, when diseased viscera may have been the consequence of it.

Your objection to the application of mercury to the combined diseases of scurvy and dysentery, would not apply to the separate disease of dysentery?—When speaking of dysentery with scurvy; I am speaking of dysentery in its last stage.

You would not have the same objection to the application of mercury in a simple case of dysentery, if it did not arise from scurvy?—No, certainly not.

Have you any documents showing the number of sick in the navy for any length of time, and the extent to which lemon juice had been made?—I have such documents.

Dr. Baird.

(June 18.)

[*The witness delivered in the following Papers :*]

Transport Office, } AN ACCOUNT of LEMON JUICE provided for the Service of His Majesty's
16th March 1815.

WHEN PROVIDED.	ENGLAND.		MESSINA.	
	Quantity.	Amount.	Quantity.	Amount.
		£. s. d.		£. s. d.
- - - 1796 - - -	24,700 gall ^s 7/	8,645 - -	—	—
- - - 1797 - - -	60,000 - - 9/9	29,350 - -	—	—
- - - 1799 - - -	73,000 - - 9/3	33,762 10 -	—	—
- - - 1800 - - -	60,000 - - 9/	27,000 - -	—	—
- - - 1803 - - -	10,000 - - 8/	4,000 - -	—	—
- - - 1804 - - -	54,200 - - „	21,680 - -	—	—
- - - 1805 - - -	{ 10,800 - - 9/ 10,800 - - „	{ 4,860 - - 4,860 - -	10,000 gall ^s 1/6	750 - -
- - - 1806 - - -	19,521 - { 2/6 4/6	2,685 19 2	50,000 - - „	3,750 - -
- - - 1807 - - -	23,293 - { 2/8 3/	3,476 11 11	50,000 - - „	3,750 - -
- - - 1808 - - -	24,228 - { 2/3 3/11	3,935 15 5	246,354 - { 1/5 1/6	18,058 6 11
- - - 1809 - - -	- - -	- - -	253,467 - - 1/5	17,953 18 10
- - - 1810 - - -	- - -	- - -	102,702 - - „	7,274 14 6
- - - 1811 - - -	- - -	- - -	- - -	- - -
- - - 1812 - - -	- - -	- - -	- - -	- - -
- - - 1813 - - -	11,256 - - 5/	2,845 10 8	84,114 - { 1/5 1/6	6,005 3 8
- - - 1814 - - -	33,756 - { 9/ 10/	16,814 8 11	143,265 - - 1/5	10,147 18 9
	415,554 - - -	163,915 16 1	939,902 - - -	67,690 2 8

N. B.—In August 1800, Dr. Baird, then surgeon of the Ville de Paris, with the Earl of St. Vincent, and doing the duty of physician of the fleet in the channel, suggested to the Sick and Wounded Board, the propriety of reducing the proportion of two ounces of sugar (then administered with an ounce of lemon juice) to one ounce; and on the 7th of that month, the Sick and Wounded Board recommended to the Admiralty, that this plan should be adopted. On the 17th December following, the Board of Admiralty referred to the Sick and Wounded, a similar letter from the Earl of St. Vincent, commander in chief of the channel fleet, with directions to report their opinion thereon. In return to which, the Sick and Wounded Board referred their Lordships to their former letter of the 7th August preceding; and on the 18th December 1800, the Admiralty directed the Victualling Board to carry this arrangement into effect. The quantity of lemon juice provided subsequent to the above arrangement, appears to have been, 1,448,502 gallons; and the saving in the article of sugar, supposing no waste of juice, may be estimated at 5,173 tons, 4 cwt. 1 qr. 20 lbs.; which at £.3. 11. 11 $\frac{1}{2}$. per cwt. the average price paid by the Victualling Board since the year 1796 up to the present year, would have amounted to £.372,148. 12. 3. Great as the supply of lemon juice has been to the navy, yet it never had been contracted for by public tender; Messrs. Hearsay, Mendham and Co. having been favoured with the exclusive privilege of furnishing it by private agreement, until the year 1803, when Dr. Baird, then a commissioner of the Sick and Wounded Board, urged his colleagues to advertize, the result of which was, that Messrs. Hearsay and Mendham, finding that they had to compete with other bidders, reduced their tender one shilling a gallon, which in the purchase of 64,000 gallons in that year, and the succeeding one, produced a saving of £.3,200; since which period and up to the present, all contracts have been made from public tenders, agreeably to the terms specified in this account. Taking the whole quantity of lemon juice provided since 1803 at the price of 9s. a gallon, being the price purchased at antecedent to the year 1803, the amount would have been £.647,325. 18. instead of £.223,719. 4. 5. showing a saving to the public of £.423,606. 13. 7.; to which may be added, the sum of £.89,298. 8. for spirits of wine to preserve the juice, taking it at 15s. a gallon, which was included in foreign contracts, but not

AN ACCOUNT, showing the number of Seamen and Marines, annually voted by Parliament, in four distinct and equal portions of war, with the number sent to Hospitals, and Hospital Ships on the Home Stations, during those periods, viz.

	YEARS.	Number of Seamen and Marines,		
		Voted by Parliament.	Sent to Hospitals.	
1st Period : Lemon-juice not issued.	- 1779 -	70,000	24,226	or, about 1 in 4.
	- 1780 -	85,000	32,121	
	- 1781 -	90,000	23,812	
	- 1782 -	100,000	22,909	
	- 1783 -	110,000	13,577	
		455,000	116,645 - -	
2d Period : Lemon-juice partially supplied.	- 1794 -	85,000	19,248	about 1 in 6.
	- 1795 -	100,000	20,579	
	- 1796 -	110,000	16,860	
	- 1797 -	120,000	20,544	
	- 1798 -	120,000	15,713	
		535,000	92,944 - -	
3d Period : Lemon-juice in general use.	- 1799 -	120,000	14,608	about 1 in 9.
	- 1800 -	111,538	17,747	
	- 1801 -	131,538	15,082	
	- 1804 -	100,000	7,650	
	- 1805 -	120,000	8,083	
		583,076	63,170 - -	
4th Period Lemon-juice continued in general use.	- 1806 -	120,000	7,662	1 in about 16½.
	- 1807 -	130,000	6,535	
	- 1808 -	130,000	7,630	
	- 1809 -	130,000	7,971	
	- 1810 -	145,000	9,965	
		655,000	39,763 - -	

1st.—In the first five years it appears, that out of 455,000 men voted for the service, 116,645 were sent to hospitals, and hospital ships on the home station; equal to about 1 man in 4.

2d.—In the second period of five years, when the beneficial effects of the distribution of lemon-juice, partial as it then was in the service, began to appear, it is found that out of 535,000 men, voted for the service, only 92,944 were sent to hospitals, and hospital ships on the home station; equal to about 1 man in 6.

3d.—In the period between 1799 and 1805, lemon-juice was generally directed to be distributed in the proportion of one ounce of lemon-juice to two ounces of sugar per man per diem, but the proportion of sugar was reduced to one ounce at Doctor Baird's recommendation of the measure to Lord St. Vincent, producing a saving in that article of 12,000*l.* a year in the channel fleet alone, in the year 1801; and it was from the doctor's recommendation of the efficacy of lemon-juice, as a specific in the prevention as well as cure of scurvy, that it was introduced into general use. Excluding the years 1802 and 1803, considered as years of peace, out of 583,076 men voted, no more than 63,170 appears to have been sent on shore on the home stations, equal to about 1 man in 9.

4th.—In the fourth period, out of 655,000 men voted for the service, only 39,763 were sent to hospitals and hospital ships at home, equal to one man in about 16½; a proportion falling short of the first period by no less a number than 128,154 men, the expense of whom, if sent to an hospital, taking the average amount of hospital charges for every man sent on shore (exclusive of all salaries and other standing expenses) at the very moderate rate of 5*l.* a cure, would have amounted in this last period to an additional expenditure, to no less a sum than 640,770*l.*

Taking the total number of men sent sick in the three last periods, short of the proportion sent on shore in the first period, and which appear to have amounted to no less a number than 259,672 men, at the aforesaid very moderate calculation of 5*l.* for the expense of every hospital case, and it will appear that the hospital expenses, in Great Britain and Ireland, have been less in those periods than they would have been had the proportion of sick been the same as in the first period, by no less a sum than (1,298,360*l.*) One million, two hundred and ninety-eight thousand, three hundred and sixty pounds.

Whilst

Whilst the great advantage of lemon-juice cannot be too highly appreciated in relieving the navy of a disease formerly the most destructive to seamen, yet it cannot be denied, that to the great improvement in discipline begun and perfected under Lord St. Vincent, the prevention of ship fever, and other diseases equally fatal, is to be ascribed, and this is completely demonstrated in the difference of sick, as set forth between the third period, when his lordship's system was beginning to work its beneficial effects, and the fourth period, when the rapid decline of hospital cases is from a ratio of 1 in 9 to 1 in 16 $\frac{1}{2}$.

Is there any distinction in your mind to be taken between the use of the citric acid in simple diarrhœa or scorbutic diarrhœa?—Yes; I think I so answered before, that I should not be disposed to give citric acid in common diarrhœa.

Would you in scorbutic diarrhœa?—Unless the symptoms were extremely urgent, I should; when we first administered it, I had a doubt whether it would not irritate the bowels, and we administered it with sugar: there was sugar issued for that purpose; but I soon found that the citric acid in a diluted state, or almost in its pure state, never disturbed the bowels of the persons labouring under the scurvy.

Supposing a person had a diarrhœa with a confirmed scurvy, would you then exhibit the citric acid with impunity?—Unless in the very last stage of it, I should; a slight degree of diarrhœa would not deter me from administering it; in the last stage of dysentery, when the muscular coat of the intestines became ulcerated, we could look for no remedy.

Suppose a man had had the scurvy, and got well; if he afterwards had diarrhœa, should you consider yourself precluded curing the dysentery by mercury, because a man had once had scurvy?—All symptoms of the scurvy being absent, I should treat the dysentery or diarrhœa in the way that my judgment guided me.

You only object to the use of mercury when there is any appearance of scurvy?—Yes, when scorbutic symptoms are evident.

When a patient labours under scurvy?—Yes.

Should you consider mere specks and discolouring in the hands and legs as a sufficient proof that the disease was so strong as to preclude you from the use of mercury?—I should always look at the gums as the second stage of the disease; I should consider the putrid state of the gums to constitute the disease.

Suppose there was no putrid state of the gums, and a patient labouring under diarrhœa, with a slight discolouring of the legs; should you consider that a state of scurvy to preclude you from the use of mercury?—I am quite unaware of the discolouring of the legs extending to any length in scurvy without soreness of the gums.

Alexander C. Hutchison, M. D. called in; and further Examined.

[*A Paper was handed to the witness.*]

HAVE the goodness to look at that paper; it is a Table of the Dietaries established in the infirmary till the present physicians were called in; there are eight columns in the table of dietary, under the one or other of which every patient admitted into the infirmary is classed; the first column contains all the patients in the infirmary collectively on any particular day; and each of those patients is entered on one or other of the eight succeeding columns; and the sixth column in that paper contains the number of those who are what is called on full prison diet, which is the diet of the prison without alteration or addition; are the Committee right in that statement?—Yes.

This circumstance is stated to explain the paper now to be given in; it is the average number of patients in the infirmary in every month, and also the average number of patients on that column of diet which is the prison diet; and the inference the Committee would draw from that, is, that the medical gentleman who had the charge of the infirmary between the month of July and the time when the present physicians were called in, did not consider that dietary as undermining the health and strength of the prisoners in the prison, as there were so large a proportion of those in the infirmary that appear upon that paper upon that diet. Is that inference a correct one?—To what period am I to apply my answer?

The paper handed to you, contains the average number of patients in the infirmary from the 1st of July 1822, to the 28th of February 1823?—I ought to make a distinction there, because, on the 8th of February, the scurvy had been reported to have existed; and as the patients in the infirmaries were ordered a diet according to the nature of the diseases under which they laboured, and at the same time there being no cause for suspecting the undermining of the health in consequence of

Dr. Baird.

(June 18.)

Dr. Hutchison.

Dr. Hutchison.

(June 18.)

the reduction of the dietary that was established on the 4th of July last year, I say that the dietary, as ordered for the prisoners in the infirmary, supposing this to be a correct paper, that there is nothing in it incompatible with the practice of the medical officers in that institution, so far as regarded the dietary ordered by me to the prisoners in the infirmary; for it must be observed, that the greater number of prisoners were dieted in the infirmary by the surgeon; they were first admitted by him into the infirmary from the prison; some of whom I however had sent up, and then I said what diet they should be upon. When I again visited the patients in the infirmary, it was not my uniform practice to ask what dietary are you upon, but if I saw a man looked weakly, I always asked the question; and if I found him upon low diet, I should say, put him upon full diet, or half diet, so that they were dieted according to the nature of the disease under which they laboured.

Was it the practice of the infirmary for the surgeon to report to you when you saw the patients, upon what diet they were kept?—No, he did not; and I have been told since, accidentally, that, when I have placed patients upon full diet, the surgeon has placed them upon low; and one of the honourable members of this Committee now present heard this statement at the same time it was mentioned to me; it was unasked for on my part; the honourable gentleman will bear me witness in it. I am sorry to say so, but the answer has been extracted from me by the question.

Was not it usual in inquiring into the state of the patients, to ask what diet they were placed upon?—Yes, to be sure it was; and for that reason I wished to be kept at the head of each patient's bed, a paper stating the time of his admission into the infirmary, the nature of the disease, and the diet he was upon; I established that rule, and it was kept up, but not so correctly as I could have wished, there was *H.* for half diet, and *F.* for full diet, and other letters for low or prison diet.

Was not all the medical arrangement completely under your management?—Yes; but how was it possible for me or any man to be aware, that the directions I had given the preceding day were contravened the next by the surgeon.

Was there any other person in the prison responsible for the surgeon not fulfilling your directions?—I should think the surgeon was a responsible man, being the resident medical man there, for my orders being carried into execution.

Were there any other persons that could be responsible for the surgeon not obeying your directions?—No, certainly not; but I was not made acquainted with these irregularities, till after they had taken place, and after I had been removed; these dietaries, I beg to state, were of my own construction.

[The Papers above alluded to were delivered in, and are as follow:]

DAILY AVERAGE of the Number of Prisoners in the Infirmaries of the Penitentiary, from 1st July 1822 to 28th February 1823; and the Number of them on full Diet during that period.

	MALES.		FEMALES.		TOTAL.	
	Number		Number		Number	
	In Infirmary.	On full Diet.	In Infirmary.	On full Diet.	In Infirmary.	On full Diet.
1822:						
July - - -	19	8	22	9	41	17
August - - -	15	6	20	8	35	14
September - - -	17	8	25	7	42	15
October - - -	17	7	29	6	46	13
November - - -	14	7	28	6	42	13
December - - -	15	8	32	12	47	20
1823:						
January - - -	22	9	57	5	79	14
February - - -	28	8	53	7	81	15
TOTAL - -	147	61	266	60	413	121

N.B.—IN the above is included two wardsmen in the male, and two wardswomen in the female infirmaries; prisoners in health, on the full prison diet. Leaving them out of the account, the average of the eight months is, 131 males, of whom 46 were on full prison diet; and 250 females, of whom 105 were on full prison diet.

Fractional parts are omitted in the above calculation.

Robert Auld, Sec^y.

THE COLUMNS.

- N° 1.—Is the prison allowance of brown bread and gruel, without soup.
- N° 2.—Six ounces of white bread; one pint of tea, morning and evening; one pint of milk, and half a pint of broth.
- N° 3.—Six ounces of white bread, fish, one pint of tea morning and evening, and half a pint of broth.
- N° 4.—One pint of gruel or tea, morning and evening; nine ounces of white bread, six ounces of beef, unboiled and with bone, one pint of broth, four ounces of potatoes.
- N° 5.—One pint of gruel or tea, morning and evening; nine ounces of white bread, six ounces of mutton, unboiled and with bone, one pint of broth, four ounces of potatoes.
- N° 6.—The ordinary prison allowance—bread and gruel, with soup.
- N° 7.—A pint of gruel or tea, morning and evening; one pound of white bread, nine ounces of beef, unboiled and with bone, one pint of broth, five ounces of potatoes.
- N° 8.—A pint of gruel or tea, morning and evening; one pound of white bread, nine ounces of mutton, unboiled and with bone, one pint of broth, five ounces of potatoes.
- N. B.—The two wardsmen are included in the full prison diets, N° 6, in each of the male infirmaries; and the two wardswomen in the full prison diets, N° 6, of the female infirmaries.

T. Rickford, Steward.

INFIRMARY, N° 2.

DIET TABLE of the Infirmary for the Month of July 1822.

Day of the Month.	Total Number dictated.	Number on Low Diet.			Number on Half Diet.		Number on Full Diet.			Beer.	
		Prison Bread and Gruel.	Bread, Tea, and Milk.	Fish.	Beef.	Mutton.	Prison Diet.	Beef.	Mutton.		
1.	10	1	1	—	—	—	6	—	2	—	J. Pratt.
2.	12	1	2	—	—	—	7	—	2	—	J. Pratt.
3.	10	—	2	—	—	—	6	—	2	—	J. Pratt.
4.	11	1	2	—	—	—	6	—	2	—	J. Pratt.
5.	12	2	2	—	—	—	6	—	2	—	J. Pratt.
6.	13	2	2	—	—	1	6	—	2	—	J. Pratt.
7.	12	2	1	—	—	1	6	—	2	—	J. Pratt.
8.	12	1	1	—	—	2	6	—	2	—	J. Pratt.
9.	12	2	1	—	—	2	5	—	2	—	J. Pratt.
10.	11	1	—	—	—	4	5	—	1	—	J. Pratt.
11.	10	1	—	—	—	4	4	—	1	—	J. Pratt.
12.	10	—	—	—	—	3	4	—	3	—	J. Pratt.
13.	11	—	—	—	—	4	3	—	4	2	J. Pratt.
14.	11	—	—	—	—	3	4	—	4	2	J. Pratt.
15.	11	—	—	—	—	3	6	—	2	2	J. Pratt.
16.	9	—	—	—	—	2	4	—	3	2	J. Pratt.
17.	9	—	—	—	—	2	4	—	3	2	J. Pratt.
18.	9	—	1	—	—	1	4	—	3	2	J. Pratt.
19.	9	—	1	—	—	—	5	—	3	1	J. Pratt.
20.	9	—	1	—	—	—	5	—	3	1½	J. Pratt.
21.	9	1	1	—	—	—	4	—	3	1½	J. Pratt.
22.	9	—	1	—	—	—	5	—	3	1½	J. Pratt.
23.	12	—	1	—	—	1	7	—	3	1½	J. Pratt.
24.	13	2	1	—	—	1	6	—	3	1½	J. Pratt.
25.	12	3	1	—	—	1	4	—	3	1½	J. Pratt.
26.	11	3	1	—	—	—	5	—	2	1	J. Pratt.
27.	10	3	1	—	—	—	4	—	2	1	J. Pratt.
28.	9	2	1	—	—	—	4	—	2	1	J. Pratt.
29.	9	2	—	1	—	—	4	—	2	1	J. Pratt.
30.	10	2	—	—	—	1	5	—	2	1	J. Pratt.
31.	9	1	—	—	—	1	5	—	2	1	J. Pratt.

MALE INFIRMARY, N° 1.

DIET TABLE of the Infirmary, for the month of July 1822.

Day of the Month.	Total Number dieted.	Number on Low Diet.			Number on Half Diet.		Number on Full Diet.			Beer.	
		Prison Bread and Gruel.	Bread, Tea, and Milk.		Beef.	Mutton.	Prison Diet.	Beef.	Mutton.		
1.	10	2	-	-	-	-	6	1	1	1	J. Pratt.
2.	11	2	2	-	-	-	5	1	1	1	J. Pratt.
3.	12	1	3	-	-	-	6	1	1	1	J. Pratt.
4.	11	1	3	-	-	-	5	1	1	1	J. Pratt.
5.	11	1	3	-	-	-	5	1	1	1	J. Pratt.
6.	10	1	2	-	-	1	4	1	1	1	J. Pratt.
7.	10	1	2	-	-	1	4	1	1	1	J. Pratt.
8.	11	1	2	-	-	2	4	1	1	1	J. Pratt.
9.	11	2	1	-	-	1	5	1	1	1	J. Pratt.
10.	13	3	2	-	-	1	5	1	1	1	J. Pratt.
11.	12	1	2	-	-	2	4	1	2	1	J. Pratt.
12.	12	1	1	-	-	2	5	1	2	1	J. Pratt.
13.	10	1	1	-	-	1	4	1	2	1	J. Pratt.
14.	10	1	1	-	-	1	4	1	2	1	J. Pratt.
15.	8	1	1	-	-	1	2	1	2	1	J. Pratt.
16.	7	1	1	-	-	1	2	1	1	1	J. Pratt.
17.	7	1	1	-	-	1	2	1	1	1	J. Pratt.
18.	6	1	-	-	-	1	2	1	1	1	J. Pratt.
19.	6	1	-	-	-	1	2	1	1	1	J. Pratt.
20.	6	1	-	-	-	1	2	1	1	1	J. Pratt.
21.	7	2	-	-	-	1	2	1	1	1	J. Pratt.
22.	7	1	-	-	-	1	4	1	-	1	J. Pratt.
23.	5	1	-	-	-	-	2	1	1	1	J. Pratt.
24.	7	2	-	-	-	-	3	1	1	1	J. Pratt.
25.	8	3	-	-	-	-	3	1	1	1	J. Pratt.
26.	9	3	-	-	-	-	4	1	1	1	J. Pratt.
27.	10	4	-	-	-	2	2	1	1	1	J. Pratt.
28.	10	1	-	-	-	4	4	1	-	1	J. Pratt.
29.	10	-	1	-	-	4	4	1	-	1	J. Pratt.
30.	7	-	1	-	-	3	2	1	-	1	J. Pratt.
31.	7	-	1	-	-	-	5	1	-	1	J. Pratt.

FEMALE INFIRMARY.

DIET TABLE of the Infirmary, for the month of July 1822.

Day of the Month.	Total Number dieted.	Number on Low Diet.			Number on Half Diet.		Number on Full Diet.			Milk for Child.	Milk for Tea.	Wine.	Beer.	Eggs.	Brandy.	
		Prison Bread and Gruel.	Bread, Tea, and Milk.	Fish.	Beef.	Mutton.	Prison Diet.	Beef.	Mutton.							
1.	26	3	2	2	-	2	12	-	5	1	1	6	1	-	-	J. Pratt.
2.	27	2	2	2	-	2	13	-	5	1	1	6	1	-	-	J. Pratt.
3.	28	-	2	1	-	5	15	-	5	1	1	6	1	6d.	-	J. Pratt.
4.	25	1	2	1	-	5	11	-	5	1	1	6	1	-	-	J. Pratt.
5.	25	1	2	1	-	3	13	-	5	1	1	6	1	-	33	J. Pratt.
6.	23	1	2	1	-	3	11	-	5	1	1	3	1	-	33	J. Pratt.
7.	23	1	2	1	-	4	11	-	5	1	1	3	1	-	33	J. Pratt.
8.	26	2	2	-	-	2	11	-	9	1	1	3	1	-	33	J. Pratt.
9.	26	2	2	-	-	2	11	9	-	1	1	3	1	-	33	J. Pratt.
10.	23	1	2	-	-	2	10	8	-	1	1	3	1	-	33	J. Pratt.
11.	22	1	2	-	-	2	9	-	7	1	1	3	1	-	-	J. Pratt.
12.	24	2	3	-	-	2	9	-	8	1	1	3	1	-	-	J. Pratt.
13.	23	1	2	-	-	3	9	-	8	1	1	3	1	-	-	J. Pratt.
14.	25	-	2	-	-	3	11	-	9	1	1	3	1	-	-	J. Pratt.
15.	22	-	2	-	-	3	8	-	9	1	1	3	1	-	-	J. Pratt.
16.	23	-	2	-	-	3	9	-	9	1	1	3	1	6d.	-	J. Pratt.
17.	23	-	2	-	-	2	8	-	11	1	1	3	1	-	-	J. Pratt.
18.	24	1	2	-	-	2	10	-	8	1	1	3	1½	-	-	J. Pratt.
19.	25	2	2	-	-	2	12	-	7	1	1	3	1½	2 lbs. flour	-	J. Pratt.
20.	22	-	2	-	-	1	11	-	8	1	1	3	1½	-	-	J. Pratt.
21.	22	-	2	-	-	1	11	-	8	1	1	3	1½	-	-	J. Pratt.
22.	22	-	2	-	-	-	10	-	10	1	1	3	1	-	-	J. Pratt.
23.	21	1	2	-	-	-	8	-	10	1	1	3	1	-	-	J. Pratt.
24.	20	1	2	-	-	-	7	-	10	1	1	3	1	-	-	J. Pratt.
25.	21	2	2	-	-	1	9	-	7	1	1	3	1	-	-	J. Pratt.
26.	20	-	2	-	-	3	8	-	7	1	1	3	1	-	-	J. Pratt.
27.	21	-	2	-	-	4	7	-	8	1	1	3	1	-	-	J. Pratt.
28.	21	-	2	-	-	4	7	-	8	1	1	3	1	-	-	J. Pratt.
29.	21	-	2	-	-	4	7	-	8	1	1	3	1	6d.	-	J. Pratt.
30.	19	-	2	-	-	1	8	-	8	1	1	3	1	-	-	J. Pratt.
31.	17	2	2	-	-	-	5	-	8	1	1	3	1	-	-	J. Pratt.

William Courtenay, Esq. a Member of the House, Examined.

*W. Courtenay,
Esq.*

(June 18.)

HOW long have you been one of the committee of the Penitentiary?—I think since about May or June 1821; I am not quite certain as to the date.

How long have you been a visitor?—Since June 1821.

Were you a visitor in July last?—I was.

Can you give the Committee any information as to the formation of the dietary that took place in July last?—There had been for a considerable time previous to that, a very general feeling that the dietary then in use was too full, and there was a general wish in the committee to adopt some alteration in that respect, and the particular diet that was ultimately resolved upon, was suggested, I believe, to the committee, by Mr. Morton Pitt, was recommended by the result of his experience at Dorchester, was undoubtedly very much considered by the committee, and was acquiesced in by me, who had very little experience on the subject myself, not being in a situation to see much of prisons in the country, very much on the faith of his experience, and the experience of other members of the committee; at the same time I do not mean by saying that, to withdraw myself from a full share in making that determination; from all I heard upon the subject of the dietary, I was satisfied that the dietary would be a wholesome one, and beneficial to the prison; and I undoubtedly was very much impressed with the idea, that so long as we attended to their health, it was an object to give to persons in confinement under sentence, as low a dietary as was consistent with their health.

Prior to the committee coming to that determination, had they before them, and did they take into their consideration a letter of Dr. Hutchison, relative to the dietary and the recommendation which it contained, that medical authority should be consulted upon the subject?—They had before them that letter, and they did so far consult medical authority, that individual members of the committee communicated with different persons with whom they were intimate; Sir James M'Grigor was asked upon the subject, and his opinion was stated to the committee by one of its members, as being favourable to the dietary recommended and afterwards adopted.

Was that application made in writing to other persons besides Sir James M'Grigor, in order to obtain their opinion?—I am not aware whether it was or not.

The Committee understand, Sir James M'Grigor was the only person whose opinion was taken upon that subject?—As far as I know, it was.

Were you at all led to believe, from any communication made by Mr. Morton Pitt, that though Dr. Hutchison's letter implied an opinion that another dietary besides that adopted, might be better chosen, that he had acquiesced in the adoption of the one that was chosen, in the nature of an experiment?—Most decidedly; and all subsequent communication which I personally had with Dr. Hutchison, led me to think he considered the experiment properly made.

Was Dr. Hutchison called before the committee, and examined upon that subject?—I cannot, from my recollection, undertake to say whether he was or not, I rather think not.

Were you visitor during the summer and autumn of 1822?—I was; I continued as visitor longer than the members of the committee generally had done, in addition to Mr. Mellish, the custom having only been to have one; I continued my name as visitor, because, from my situation and residence in London, it was thought convenient to have a visitor to whom application might be made on occasions occurring, he being near the prison.

During the autumn or winter of last year, or at any period from the first adoption of the dietary, was your attention particularly directed to the health of the prisoners?—During the visits which I frequently made to the Penitentiary in the course of the autumn and the early part of the winter, I certainly received suggestions, from the matron particularly, and also from the surgeon, that they were afraid the diet was not sufficient for the health of the prisoners, I had not that confidence in the surgeon upon that subject which led me at once to suppose his suggestions well founded, and I can take upon myself to say, that more than once or twice I conversed with Dr. Hutchison, and I was led by him, in whose medical judgment and experience I had confidence, to believe that the diet, as then established, was not affecting the health of the prisoners.

Did the taskmasters, or any officer of the prison, acquaint you that the strength of the prisoners appeared to give way under the new dietary?—Not the taskmaster, nor any person connected with the male department; the suggestions were principally made by the matron.

Were

Were you aware that the matron, surgeon, and other officers of the establishment, had early set themselves against the change of the dietary?—I was so much aware of it, that I confess I did not give all the weight to their representations which, under other circumstances, I might have given.

Did any change take place in the dietary from the time of its establishment to the period when the new one was adopted altogether?—About the month of January, when I was residing at a short distance from London, communications were made to me upon the subject of the health of the prisoners, which brought me to visit the prison early in the month of January; I made a very accurate examination of the prisoners, and on the 10th of January I wrote a letter to the committee, not being able to be present at its next meeting, which if the Committee will allow an extract from, I will read, and afterwards give in.

“The number of sick in the infirmary, particularly of the females, is very alarming; and although it does not appear from Mr. Pratt’s account that there is any particular prevalent disorder, yet if his description of the low debilitated state of the prisoners is accurate, it is impossible not to apprehend that a fever may at any moment appear amongst them, which in so crowded an infirmary it would be exceedingly difficult to conquer. I believe that Dr. Hutchison thinks more lightly of the prevailing sickness than Mr. Pratt does. The committee will probably take pains to ascertain his deliberate opinion, and particularly whether any part of the evil is to be attributed to the present dietary, which Mr. Pratt thinks that it is. If this is the case, it is singular that the sickness appears principally among the women. I hope that the committee will take the trouble to see the matron, and hear what she says upon this subject; and although the committee will not at once make any material alteration in the dietary, yet there is one slight alteration which might perhaps be made (by way of experiment at least) in the female pentagons, which the matron thinks would be more healthy to the women, I mean the substitution of gruel for the soup in the evening; and I should very much like to introduce an article which has not, I believe, been hitherto used, I mean biscuit, which has many advantages; it takes little or no trouble in distribution, is wholesome, and gives something for the jaws and the stomach to do, which the gruel, constantly repeated, may require. I have suggested upon the inclosed paper, a dietary, slightly altered, which probably the committee might feel at liberty to order, after communicating with the governor, to be adopted for a month or two in the wards, leaving the question whether it may be necessary to return to more of a meat diet for future consideration; at any rate, as I cannot be present, I wish to throw this out for discussion.

Proposed Dietary for the Females:

Morning - - - gruel as at present, and half a pound of bread.

Dinner - - - pint of soup, and half a pound of bread.

Evening - - - pint of gruel and a biscuit, 4 oz. weight.

“The alteration from the present is very trifling, but I have reason to believe it would be very acceptable.”

[*The same was delivered in.*]

Might it not be proper to make the soup throughout the prison of a more generous quality in the *six winter months*, by increasing a little the proportion of ox heads?—I was not present at the next meeting of the committee, but I have reason to believe that suggestion was taken into consideration; that Dr. Hutchison was seen by the committee, that the alteration of gruel for soup was adopted; but the committee have more accurate information about that.

The Committee see, by the return of the sick in the infirmary in January last, there were 79, having risen from the month preceeding from 47; of course your attention was directed to those cases, from the increased sickness of the prison?—Yes.

What is the duty of the visitor?—I conceive the duty of the visitor, under the peculiar establishment of the Penitentiary, simply to be that of a delegated committee-man, a committee-man delegated to do the duty of superintendents, which the committee is in the first instance directed to do.

How often does the visitor visit the Penitentiary?—Speaking of course only with respect to my own practice, I cannot describe any precise time; I have always visited as it appeared to me the occasion required, with respect to the state of the prison; one of the most important duties I conceived belonging to the visitors is, with reference to the prisoners placed from time to time under punishment; the

W. Courtenay;
Esq.

(June 18.)

*W. Courtenay,
Esq.*

(June 18.)

governor has the power to place prisoners under punishment for a limited period, three days, in solitary confinement; if further punishment is thought necessary, it becomes the duty of the visitor to decide upon it, and I have always felt it to be one of my most important duties to visit the prisoners who might be so confined in solitary cells; when any prisoners were under confinement, my visits have been very frequent; when they were not under confinement they have been less frequent; I should add, that they have perhaps been less frequent from the circumstance of my being so near, that in the event of any thing occurring which required particular attention, I could be immediately procured.

Can you inform the Committee whether Mr. Mellish or yourself visited the Penitentiary once a week?—I should say, undoubtedly, either one or other of us visited three or four times a week.

When you visited the Penitentiary did you go round all the pentagons?—Undoubtedly not; my habit in visiting the prison was, to go into the Penitentiary, and without saying where I was going particularly, if I could, without letting the governor know it, to take one pentagon and walk round it with the officer I might find there.

Seeing all the prisoners in that pentagon?—Yes.

And you did that, sometimes one pentagon and sometimes the other, as you thought fit at the moment?—Just so; occasionally also visiting the infirmary, not very frequently, but occasionally.

If any prisoner had any complaint it was his business to take an opportunity to make it?—It is very generally understood by the prisoners, that if they wish, upon any account, to make any complaint of any sort, if they give notice of it to the turnkey, that they wish to see the visitor, the visitor immediately, upon the first possible opportunity, goes to that prisoner and hears his complaint, and this is constantly acted upon by the prisoners, and I believe that no turnkey would dare to delay communicating such an application to the visitor.

In going round each ward, in any specific pentagon, do you see each prisoner, if in the first class working in his cell, or the second class working in company?—Speaking of my own practice, my habit was to see each prisoner more cursorily where nothing particular called my attention, and more accurately if any thing appeared to call it.

Of course directing your attention to the cleanliness and order of the cell, and the appearance whether in the first class or the second?—Unquestionably; I will also add, that upon all occasions, when I went to the Penitentiary, I called for the governor's journal, and examined what was reported by him as having occurred since I was last there, and I almost invariably communicated with the chaplain.

Is there any journal kept by the visitor?—No journal, certainly; I have understood, that before my appointment as visitor, it was the habit to write a good deal in what was called the Visitor's Book; I began that, but I very soon found, that from my occupation, I had not time both to write and act, and I thought it more important to do what I thought essential than to employ my time in writing; I confess, therefore, during the last year and a half I have not been in the habit of writing in that book.

Did you communicate to the committee at the time it met, either in the nature of a written report or a verbal one, any occurrences that had taken place in the interval?—Unquestionably; frequently in writing; if accident prevented my communicating in writing, I constantly communicated to the committee verbally what had occurred.

If you had made, in your situation as visitor, any alteration, either as to the punishment or as to the treatment of any prisoner, you felt it your duty to communicate it to the committee?—Certainly; I always did so; I may be allowed to add, when I say I omitted writing in the visitor's book, I wish to be understood I have not omitted communicating to the committee every thing that passed, either with respect to my own conduct as to any particular prisoner under confinement, or the appearance of the prisoners generally.

Were many complaints made to you during the summer or autumn of the last year, either from males or females, with respect to the dietary?—I think not, certainly not; occasionally a complaint was made; but certainly the prisoners generally did not complain of the dietary.

Did they ever complain of constant hunger, and a sense of weakness in the stomach?—Certainly not to me.

Were you ever struck with any change of the appearance during that period, either

either among the males or the females, their countenances less florid, and a less general appearance of sturdy health?—I was not struck with any such alteration of appearance, till about the month of January, then I did certainly observe it, when the cold weather was beginning to operate.

Did you attribute it to the uncommon variability and badness of the winter, more than to the circumstance of the change of dietary?—I do not feel competent to form a satisfactory opinion upon that point; I doubted to what cause such alteration was attributable, and I felt that it required the experience of some time to come to a satisfactory conclusion about it; I conceived, as far as any opinion of my own could go, that the weather and the state of general unhealthiness which prevailed about that time must have considerable effect.

Do you remember Sir James McGrigor visiting the Penitentiary on the 14th of February?—I have heard he did, I was not present.

Did he make any report, to your knowledge, on the state of the health of the prisoners?—Not to me, certainly.

The governor has the power of keeping a prisoner in solitary confinement three days?—Yes.

And within that period he must report to a visitor?—He immediately reports it to the visitor, he enters it in his journal, and in case the visitor should not come so as to see it in his journal, he makes a report to them; the man is liberated of course at the end of three days, unless the visitor thinks right to continue him.

The governor has no right to inflict corporal punishment on any individual?—No, nor any of the committee.

Has corporal punishment ever been inflicted to your knowledge?—No.

Would it not be considered as a great offence on the part of the governor, or any of the turkeys, to presume to strike a prisoner?—Undoubtedly; it would be an offence the committee would visit most seriously.

Is there a specific rule against it?—Yes there is.

Are the punishments of solitary confinement frequent?—They have been more frequent in the early part of my visiting, than in the latter part.

Have you ever had persons confined in solitary confinement for any long term; can you state any maximum?—I think I remember one or two persons confined for nearly three weeks.

Women or men?—Men.

Men or boys?—Men; in consequence of a very severe riot, attended with circumstances of very great violence.

An attempt at escape?—Yes. With respect to punishments generally, it would be found upon accurate investigation, they were inflicted upon a small number of individuals among the prisoners; that is, that the same individual rendered himself liable to punishment frequently, not that a large proportion of the prisoners were punished.

Has your attention ever been directed to the degree of effect that that punishment has upon the three classes, males, females, and boys?—I have considered it a good deal, and the result of my observation is, that, upon boys it has not a very great effect, that it has most effect upon the women; but that it does operate also beneficially upon most of the men. The number of women who have been subjected, under my superintendence, to solitary confinement, has been but few, although the cases in which individuals have been so confined, have been much more numerous; that is, that individual women have been guilty of such repeated offences as to render it necessary for them to be confined repeatedly; but with the generality of the women, I have found that kind and judicious treatment, which I think they generally experience from the matron, has operated to keep them from committing offences that called for punishment; some few hardened prisoners, form of course an exception to this general rule.

Peter Mere Latham, M.D. further Examined.

HAVE you any information to give the Committee?—I have to offer to the Committee the request of Doctor Roget and myself, which appears to us to be a reasonable request; we have been employed a quarter of a year at the Penitentiary with the unqualified approbation, as we believe, of our employers; it has been thought right to send in various physicians and surgeons, to the number of eight, to observe the nature of the disease, and give opinions concerning our practice. We have hitherto made no objection whatever to this; nevertheless, we do not regard any of the individuals who have been so sent in, as a just appeal. Some have been

*W. Courtenay,
Esq.*

(June 18.)

Dr. Latham.

Dr. Latham.

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sent to the Penitentiary, because they have been considered to have peculiar experience in particular diseases ; others, because they have practised in the East Indies or the West Indies ; one has been surgeon of a ship in the Levant, and another in the North Sea. We beg to observe, that there are physicians, who, although they may not be considered to have peculiar experience in any one disease, yet they are considered to have their minds imbued with just principles of medical practice ; we say, that those physicians are at hand, and they are men who are exercising their profession with the universal approbation of mankind. Our request, therefore, and our just request as we conceive is this, that if any further appeal be made to other medical practitioners, they shall be selected from this class ; and we beg further to say, we shall acknowledge no appeal as a just appeal, unless it is made to Dr. Baillie, Sir Henry Hallford, Dr. Warren, or Dr. Maton. We do not consider that we have at all suffered by any opinion that has been given by any medical men that have been commissioned to visit the Penitentiary ; on the contrary, our practice has been confirmed and approved of ; yet it must be felt, that our minds are kept in a perpetual state of irritation by these men visiting there ; and any medical man's practice must be very accurate that will endure the criticism of eight of his brethren.

Jovis, 19^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

E. Bootle Wilbraham, Esq. a Member of the Committee, made the following Statement :

*E. B. Wilbraham.
Esq.*

(June 19.)

AT the desire of the Committee, I beg to deliver in the correspondence which took place between me, as the then chairman of the committee of the Penitentiary, and Doctor Hutchison, in the month of June last, respecting a transaction in which he was concerned ; the whole consists of letters, with the exception of the last, which is a Statement drawn up by me on the twentieth of that month, June 1822, left with the other papers, sealed up and carefully preserved from the knowledge of every person concerned, except the members of the Committee who happened to be present when the discussion took place ; they were sealed up under my own seal, and carefully kept unseen by the secretary, who had not himself access to them until lately. Mr. Courtenay, as a visitor, having given certain information to the committee, I wrote this letter at his desire, which I will now read.

[*It was read, as follows :*]

“ Dear Sir,

N^o 1.

June 7.

“ I write at the desire and under the direction of the committee, on a subject which can with more delicacy and convenience be touched on in this manner than in conversation. In the course of the discussion on the medical report made on the death of Mary Turner, some circumstances connected with the treatment of that patient in her last moments, appeared to us to deserve inquiry ; the result has been, that we have discovered, with much regret and concern, that a suspicion is entertained by different individuals, and is even spreading amongst the prisoners in several wards, that the directions which you give in cases which come under your consideration after dinner, are marked with a haste and precipitation which are not observable in an earlier part of the day. On this subject I presume that it is not necessary that I should be more explicit, but the committee think it right that you should be made acquainted with the fact, and that I should, at the same time assure you, that this matter, which has undergone their most serious consideration, has never been hinted even to their secretary, who was always desired to quit the room before it was alluded to, nor to any one but those members of their body who attended the last few meetings. The committee are extremely unwilling to suppose this suspicion well founded, and conceive that any formal inquiry into the grounds of the reports, might produce consequences unpleasant and injurious to your well founded reputation, and they beg you to be assured, that their motive in making you this communication, is of the most friendly nature, and with the sole view, that without its being known to any body in the Penitentiary that such communication has taken place, and without your taking any steps to disprove the grounds of the suspicion which unfortunately prevails, (a measure which on every account they

strongly

strongly advise not to adopt, it being obvious that the matter never can be brought to issue) you may be enabled to dispel the impression, and may trust to time and to yourself entirely to remove it. You will, I am certain, forgive me for suggesting a wish, that any acknowledgment of this letter may be in writing, as I consider myself merely as conveying the sentiments of the committee; and as I do not wish to trust to the accuracy of my own memory in reporting any thing which you may feel desirous of imparting to them.—Believe me, dear sir, &c.”

“To Dr. Hutchison.”

N^o 2.

“Dear Sir,

Leicester-square, Friday evening, 7th June.

“I have received the letter you did me the honour to write of this day's date; and although I imagined that I had lived long enough in the world not to be surprized or astonished at any attack made on a man's character, yet I confess that I have experienced both on the perusal of your letter. I have, sir, been a servant of the crown for a period of twenty-two years, and this is the very first instance that has occurred to give me one moment's pain or uneasiness, as regarded my own character in any sense. You will excuse me, therefore, if I should, in the observations I have to make, express myself with some warmth and indignation at the unfounded attack on that which I hold dearer than my life—my good name. In the first place, I consider it to be in justice due to me that my calumniators should be named, with a view to the thorough investigation into the motives which instigated them to the vile imputation mentioned in your letter. Secondly, I consider that the particular circumstances alluded to, with regard to the ‘treatment of Mary Turner in her last moments,’ should be expressly stated, that I may know in what the charge consists. As to the latter, however, I can now from recollection, without moving from the chair on which I sat to read your letter, acquaint you, for the information of the committee, that, at the period named, I found Mary Turner had become suddenly much worse, her pulse weak and quick, and her breathing difficult. I saw her approaching end, and desired the surgeon who accompanied me to bring her a draught, which I then prescribed, and which he said he would give her when we had gone round the other wards. My reply was, ‘No; you must bring it now, and I will see her take it.’ The matron and chaplain were present at the time; prayers were read, to which I attended: and just at the conclusion, the surgeon came with the draught, which was exhibited to her in an erect posture. She was then quite sensible; and when I was about to leave the institution, after seeing other patients, I heard that the poor girl had just expired. I think, therefore, I have some reason to demand of those who informed the committee, ‘that the directions which I give in cases which come under my consideration after dinner, are marked with a haste and precipitation which are not observable in an earlier part of the day,’ in what that haste and precipitation consists, or in what other case or cases it has been observed. I have certainly been accustomed, like most other gentlemen, for a considerable period of my life, to take such a quantity of wine at dinner as my constitution, under professional fatigues, requires; but I challenge any one to say, that they have ever seen me under its influence, so as to interfere in the slightest degree with the proper performance of my professional duties. I have taxed my memory, however, for an instance that the most inveterate malice could seize upon to misrepresent; and with the same openness which I wish my enemies, whoever they be, would exercise, I beg to state, that, on one occasion, I recollect having been obliged to dine with the governors of a charitable institution, where I partook of wine not of as good quality as usual, and felt the ill effects which such situations have, I doubt not, entailed upon many, who little deserve such imputations. Being called to the Penitentiary, I recollect remarking the following day to the chaplain and surgeon, that most probably they were sensible of some alteration in my manner the previous evening; but I *will never* allow for a moment that this occurrence *did* or *could* prevent the more serious and proper discharge of my professional duties. I would take the liberty to ask, ‘Can the committee expect, that, in addition to the far more numerous visits which I pay than those required by my instructions, I am, in cases of trifling moment, or in those where human aid must be unavailing, by remaining longer than needful with the patients, to squander the time on which alone depends the bread of my family?’ During my six years attendance at the Penitentiary, I have frequently met many of the different members of the committee in the evenings; and I beg to appeal to them, whether they ever saw any inconsistency or incorrectness in my conduct on those occasions? I cannot, therefore, subscribe to the opinion of the committee, that so

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serious a charge, striking as it does at the root of both my character and subsistence, is not to be disproved; and I think I have a right to demand from the committee, that, in justice to me as a faithful public servant, and to themselves as guardians of the institution, they will not screen from me my cruel calumniators, or leave me without a possibility of exposing their baseness, or of extricating myself from their malicious snare. I may add, that it would be only just to the other officers of the institution, that the propagator of this falsehood, and the motives that instigated it, should be known, as I must otherwise ever look with distrust upon the probity of all with whom I have to act. I beg to thank the committee for their intended delicacy towards me; but to assure them, that my conduct has ever been such as to court the light, rather than to shun it; and that I feel confident the disgrace of an evil report will always fall on the inventor, and not on the man whom he attempts, from whatever motive, to injure. I beg permission to thank you, Sir, individually, for your polite attention to me; and I have the honour to be, dear Sir,

“Your very obedient and very humble servant,

“*A. C. Hutchison.*”

“*E. Bootle Wilbraham, Esq.*
 &c. &c.”

N^o 3.

June 13, 1822.

“Dear Sir,

“Since I wrote to you last, I have had an opportunity of seeing such of the members of the committee who are in Parliament as are in town, and I write at their request on the subject of your letter. We regret that you do not feel disposed to take the well meant and friendly advice which I was desired to give you, especially as subsequent circumstances have proved to us more strongly the necessity of the communication then made. We are anxious to correct the misapprehension under which you appear to us to labour, that the imputation to which my letter alluded, rests on the statement of an individual; we can assure you on the contrary, that the information on which we are acting, and which, we are fully persuaded, could not have originated in any malicious motives, has been confirmed by more than one or two persons; and we fear, that the impression prevails much more extensively than you imagine. Under these circumstances we strongly suggest to you the expediency of re-considering your demand for public inquiry, as also to weigh well the motives which alone induced the committee to direct me to write to you. Motives, which you do not appear to us fully to have appreciated, and which originated entirely in our personal respect for you. As the committee meet on Saturday next, we trust that you will before that time have turned the matter over in your mind, and that you will enable me to lay before them a letter more in unison with the view of the subject which influenced them in the communication which I was directed to make to you, than that which I have had the honour of receiving.—I am, dear Sir.”

“*Dr. Hutchison.*”

N^o 4.

“Dear Sir,

Leicester Square, 14th June 1822.

“Your first letter of the 7th instant intimated, that ‘some circumstances connected with the treatment of Mary Turner in her last moments, having appeared to the committee to deserve inquiry, the result of that inquiry had been the discovery of a suspicion being entertained by different individuals, and which was even spreading among the prisoners, that the directions which I give in cases that come under my consideration after dinner, are marked with a haste and precipitation not observable in the earlier part of the day. That the committee thought I should be acquainted with the fact, and while they assure me that the matter having, in the strictest secrecy, undergone their most serious consideration, and that they are extremely unwilling to suppose the suspicion well founded, yet conceiving that any formal inquiry into the grounds of the report might produce consequences unpleasant and injurious to my well founded reputation, they make this communication with the sole view that I may be enabled to dispel the impression, and that I may trust to time and to myself entirely to remove it, without my taking any steps, however, to disprove the grounds of the suspicion which unfortunately prevails, a measure which on every account they strongly advise me not to adopt, it being obvious that the matter never can be brought to issue.’ This appears to me to be the real import and substance of your letter, divested of the very kind and friendly language in which it is conveyed; and I should do great injustice to my own feelings towards the committee, if, when I observe that they manifestly think the suspicion may not be entirely without grounds, I did not gratefully acknowledge that with such an impression on their minds, they have acted with the utmost tenderness and kindness to me,

and

and that their well meant advice being in the spirit of that impression, is consistent with, and equivalent to, a kind admonition to behave better for the future.

"But knowing myself to be wholly free, both in thought and deed, from incurring the slightest suspicion of the kind alluded to, the committee will as men of honour and feeling admit, that it is not in human nature to acquiesce silently in an unmerited and unworthy imputation, much less to forbear demanding the evidence on which a suspicion could have arisen, that I am capable of a vice disgraceful to me as a man, and ruinous to me professionally. Without a moment's delay, therefore, I answered your first letter, in the way that any innocent man would have answered it; showing, as I think, that my treatment of Mary Turner, evinced any thing rather than haste or precipitation; and indignantly denying the conclusion drawn from that case, as well as the existence of even the shadow of truth in any other information from which it may have arisen. I am sorry to observe, but with all deference, that in considering this answer, the committee do not appear to have placed themselves exactly in my situation; else your second letter, of yesterday's date, would not have expressed their regret that I should be disinclined to take their friendly and well meant advice, the more especially as you state, 'subsequent circumstances have proved to them more strongly the necessity of the communication then made;' you add, that 'the imputation alluded to, rests not on the statement of an individual, on the contrary, that the information on which the committee are acting, could not, they are persuaded, have originated in any malicious motives; that it has been confirmed by more than one or two persons; and that the impression prevails, they fear, much more extensively than I imagine.' Finally, the committee, under these circumstances, strongly suggest to me, the expediency of re-considering my demand for public inquiry; as also to weigh well the motives which had alone induced them to write to me; motives which I do not appear to them to have fully appreciated, but which originated entirely in their respect for me. Permit me, dear Sir, to request you to state to the committee, my hopes that they will bear with the infirmity of my temper, if I express an honest indignation at being advised to shrink from a public inquiry into my conduct; which, in other words, is plainly and palpably saying, that I dare not meet it. I appreciate entirely the motives of the committee, on the supposition, which is no longer doubtful, that they are convinced of my having given cause for the disgraceful suspicions in question; for on any other supposition, the advice they reiterate is a cruel indignity, being neither more nor less than desiring me to acquiesce quietly in the infamous charge of drunkenness, and to reform my conduct. It is now evident that a conspiracy has somewhere existed, the first object of which is probably to drive me from the services of the committee, and its certain effect must be to ruin my professional character. It cannot be supposed that I can bear such imputations with indifference, however conscious that they are as thoroughly false as the authors of them are malicious. Neither, although it must be always humiliating to be placed on one's defence, do I complain that the committee had felt it their duty to pursue a secret inquiry into my conduct, to such an extent as seems to have produced conviction in their minds against me, before they called on me for my defence, or to confront my calumniators. But knowing that truth must ultimately prevail, denying as I most solemnly do, that I ever furnished the slightest appearance of grounds for the imputations against me, I beg to urge more earnestly than ever, my request for an immediate public inquiry; intreating of the committee no further indulgence, than that as an act of justice, they will in the mean time divest their minds of any prejudice which the unfounded insinuations hitherto conveyed to them may have created; and not doubting that they will show at least as much alacrity in admitting proofs of my innocence, as a sense of duty has compelled them to display in entertaining the charges against me. This much I owe to the vindication of my character; but to testify to the committee my anxiety to stand well in their opinion, I beg, in the entire ignorance of any specific facts that may have been alleged to my disadvantage, to trespass on your time with a few considerations as to the improbability of the charge, which must naturally arise out of the tenour of my past life. No one of a sudden can be addicted to the despicable vice of inebriety; least of all a medical man, whose hopes of honest fame and fortune are altogether founded on sober and temperate habits. It is well known that, emergencies excepted, the usual hour of my evening visits has been seven o'clock, and as one cannot easily dine before five, the interval of an hour or two will allow of but a very moderate quantum of wine. I have frequently met members of the committee on those occasions, and I appeal to them, whether I have ever, in the slightest degree, given them cause to entertain such an opinion

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of me. In the course of my six years services, I have never failed to attend within two hours after being sent for to any case of difficulty or emergency in the Penitentiary, and those were not unfrequent of an evening; and it is well known that the officers of the establishment have often intrusted their own lives, and those of their families, even in dangerous cases, to my judgment, at all hours of the evening, without any obligation on their part or mine, to consult or prescribe; all which is incompatible with the suspicion now for the first time promulgated. Besides I would beg to inform the committee, that not only is a considerable part of my private practice performed in the evening, which often includes perilous operations, but that I have been for two years past of the council of the medical and chirurgical society, and a president of another medical society; all of whose discussions are at night, which I seldom or ever fail to attend, and participate in; all which would have been impossible, if I were in any degree addicted to the vice and folly of drinking; as in that case I could not hope either to conceal the infatuation, or secure the good opinion of my fellow practitioners. But not to rest this question, which is to me of the utmost importance, on mere probabilities, I beg to enclose the declarations of a few of my most intimate friends; of men, whose honour and respectability cannot be questioned by the committee; who have seen me at all hours, and most frequently after dinner, as it is in their society chiefly that I have the pleasure of passing any leisure time at my disposal. If such a wretched habit as that of inebriety had ever grown upon me, they could not possibly be ignorant of it, nor countenance, much less palliate or deny, its existence; and although the want of time has for the present made me limit these testimonials to my more immediate acquaintances, yet it would be very easy for me to enlarge them to a number equal to all the prisoners in the Penitentiary; and I mention this, because I shall willingly consent to forego the benefit of such a mass of testimony in my favour, if one solitary individual of all who know me in private life can be found to assert the contrary. I lament that, in the absence of any tangible facts, I am thus driven to answer general suspicion by an appeal to my general conduct; and I trust that you and the committee will excuse any earnestness with which I may have entered upon my defence against a most odious charge, by considering that it is of the last consequence to my present and future happiness, that I should not leave a vestige of it unrefuted.

" I have the honour to be, dear Sir, with great respect,

" Your most obedient and very humble servant,

" A. Copland Hutchison,

Medical Superintendent,

General Penitentiary, Milbank."

" E. Bootle Wilbraham, Esq.
&c. &c."

[The following Testimonials, enclosed in the above, were read:]

" Sackville-street, 14th June 1822.

" Having heard, to my great surprise and astonishment, not without indignation, that insinuations have been thrown out respecting the character of Mr. Copland Hutchison, as a man of sobriety, I feel myself irresistibly induced as a tribute to truth and justice, to repel all such imputations. This gentleman has been intimately known to me for twenty years; I have seen him in that time in every possible circumstance of conduct and duty, public, private, professional and social, and I can aver upon oath, if required, that I have never, either seen or heard the smallest symptom, imputation or insinuation of the kind alluded to; on the contrary, I do not believe a man can be found more sincerely, conscientiously and ably devoted to his duties, nor more incapable of tarnishing his character by such a degrading habit, as the one alleged; nor could such a report have originated, but in the grossest misapprehension or malignity.

" Gilbert Blane,

" First physician to His Majesty."

" Saville-row, 15th June 1822.

" The report affecting the character of Mr. Alexander Copland Hutchison as a man of temperate habits of life, having been communicated to me, I voluntarily come forward and declare from my own personal knowledge, that the charge implied in that report is false, groundless and malicious.

" I have had the pleasure of being acquainted with Mr. Hutchison for the last fourteen years, and during the last five years, our acquaintance has been of the most intimate kind. As a friend, as a colleague at two public institutions, and as
a medical

a medical man of superior talents, I have had innumerable opportunities of studying, investigating and appreciating his character.

"I have seen him under all circumstances and at all hours of the day; I have frequently called him to the assistance of some of my patients, and indeed, of some of my own family at all hours of the night, and I have yet more frequently called myself on him in the evening, to converse on medical and other general subjects, on none of which occasions has he appeared to me to have been otherwise than perfectly collected, and in a perfectly fit state to exercise his professional duties on the most important emergency, and in a manner to deserve that approbation which has never been withheld from him during two-and-twenty years of an arduous medical career.

Of him, as a gentleman, I feel it needless for me to say a single word, and to the truth of the present declaration, I pledge my honour.

"A. B. Granville, M. D.

"Physician to the Duke of Clarence."

"I do certify, that having known Dr. Alexander Copland Hutchison for a period of upwards of twenty-one years, I can with great truth and sincerity declare, that I have found him a most able surgeon and sound medical practitioner; and that in the duties which he performed as surgeon of a great public hospital, of which I had the superintendence, as well as from all I have witnessed of him as a practitioner in this town, and I have had many opportunities of meeting him in evening and morning consultations, he has always conducted himself with the greatest zeal, professional judgment and propriety, combining therewith the utmost kindness, humanity and attention to his patients. It is with the greatest surprise and concern that I learn his character has been aspersed, and even inebriety alleged against him. This charge, from the thorough knowledge I possess of him, I can only ascribe to the most malignant motives, for I cannot regard it in any other light than an unfounded and cruel calumny.

"In addition to what is above stated, I beg to say, that Dr. Hutchison was my medical attendant for several months, during a most serious illness, and I have always found him exercising those excellent qualities which I have already given him credit for, to all of which I am ready and do desire to verify upon oath.

"A. Baird, M. D.

"Late inspector of His Majesty's naval hospitals,
and of His ships in commission."

"Little Stanhope-street, May-fair,
14th June 1822."

"30, Craven-street, Strand, 14th June 1822.

"Having to my great astonishment been informed by my very dear and most intimate friend, Dr. Copland Hutchison, that certain insinuations had been conveyed to the managing committee of the Penitentiary, importing that the Doctor in his evening visits, was occasionally less competent to his professional duties than at other times, and that those insinuations had in fact, produced an impression on their minds equivalent to an opinion that he had been sometimes in a state of inebriety; I feel it to be the nearest act of justice, unsolicited by my friend, to come forward with my solemn testimony, founded on an uninterrupted intimacy of six years; which testimony, it is hardly necessary to say, I shall be ready to confirm on oath.

"I do therefore most solemnly declare, that for the last six years, there has been seldom a week in which I have not had the pleasure of a visit from or to the Doctor (but happily very seldom on professional subjects); that nine times in ten those friendly calls were in the evening, and that I have several times dined and supped in his company; and I solemnly testify and declare, that I never did, for one moment, observe the Doctor to be in the slightest degree elevated by drinking, least of all in such a state as should deter me for an instant from trusting my own life, or the lives of my children, to his eminent skill; and as our intercourse was at all hours of the evening, and with the same unreserved confidence as between brothers, I hold it to be utterly impossible that he, of all men, could have been frequently overtaken by inebriety, or even elevated with wine, without my ever having perceived the slightest appearance of it.

"John Finlayson,

"Actuary of the National Debt."

E. B. Wilbraham,
Esq.

(June 19.)

E. B. Wilbraham, Esq. " To Dr. Copland Hutchison, Principal Medical Superintendent to the Penitentiary, Surgeon to Westminster Dispensary, &c. &c.

(June 19.)

" 37, Bedford-street, Covent Garden,
June 14th, 1822,

" With feelings of sincere regret, my dear Hutchison, at the uneasiness it must occasion you, and of amazement at the daring boldness (I had almost said wickedness) of your unknown accuser, I have just heard that the most degrading imputation has been levelled at your (I trust) invulnerable character, and my natural impulse at once irresistibly leads me to express my sentiments upon it. The inebriate is so decided an object of my disgust and fixed aversion, that it would be as possible for fire and water to assimilate, as for me to form a friendship for such a man; yet I avow to the world, that I am proud of the friendship of my *temperate* friend Dr. Copland Hutchison; and I solemnly affirm before God, that if you were the intemperate man you have been represented to be, no power, no interest, no persuasion, should induce me to violate my conscience, to abandon all sense of moral rectitude, to sacrifice the welfare and compromise the happiness of my fellow creatures, by attempting to sustain the character of a medical officer honoured by the confidence of the governors of so many charitable institutions, and on whose sobriety, sound judgment, and accurate decision, the lives of so many suffering and helpless human beings depend. I have known you intimately since September 1814, a period of nearly eight years; I was your patient in the officers ward, at the Royal Hospital, at Deal, where I received your regular visits every morning and *evening* during four months, without observing any other but the most sober deportment and conversation, and without hearing the most distant insinuation to the contrary, by my companions in sickness. I have lived on the most unceremonious habits of intimacy with you, at a short distance from each other, during the six years and a half I have resided in London; I have exchanged visits with you at all hours of the day and evening, and chiefly in the evening, because we were engaged in professional avocations during the day; I have dined with you at large public parties and small private ones; I have often accompanied you to learned societies, &c. in the evening; I have frequently been with you at evening parties; I have attended with you on many patients in private life and in charity practice; I have employed you in my own family night and day; I have recommended you as a consulting surgeon to many medical friends, who have called you in, and with all the awe and respect that is due to truth, justice, and the solemnity of an oath, I am ready to depose, that I never saw you, or heard of your being degraded so low, as to be dispossessed of your faculties by intoxication; nor have I ever seen you in a state that I would not have freely committed the health and lives of myself and family to your professional skill and judgment.

" It is not credible or possible that you can have practised such cunning deceit as would elude the penetration of all your intimate friends and acquaintances, and veiled this baneful and detestable vice from their view. It does seem to me, that this scandalous imputation must be founded on misapprehension or gross falsehood; that it must have been circulated by thoughtlessness or malice, and imposed on credulity where there has been ignorance of your real character. If this charge be not refuted, it must be a death-blow to your professional character, and the most ample means of refutation are in your power in the conjoined testimony of all who know you. They will bear witness that you are not only sober, but that you are skilful, experienced, humane, zealous, charitable and good.

" *R. W. Bampffield.*"

" P. S. It might be mentioned, that the loss of your front teeth sometimes makes your articulation indistinct."

The following I will now read with a note which I wrote to Doctor Granville, requesting to see him at Mr. Courtenay's house, and he appointed a time, at which time Mr. Courtenay and I met him, and we explained the circumstances of the case, which I shall leave to that gentleman to detail; in consequence of that meeting he wrote to me a note the next day, which, together with a letter of Doctor Hutchison's and a note to him, I will read.

[*They were read, as follows:*]

N^o 5. (A.)E. B. Wilbraham,
Esq.

" Dear Sir,

Saville Row, Monday Eve.

" Having fulfilled the office of mediator in a manner suitable to the views of yourself and Mr. Courtenay, and congenial to my own feelings on this question, I am prepared to communicate the result, if you will name a *very early hour* to-morrow morning, when I can meet you and Mr. Courtenay for that purpose.

(June 19.)

" I remain, dear Sir, with great truth,

" E. Bootle Wilbraham, Esq. M. P.
&c. &c. &c."

" Your very obliged,
" A. B. Granville."

" My dear Sir,

Portland Place, June 17.

" I have just found your letter, on my arrival home from the House of Commons, at a late hour.

" I fear that I cannot answer for Mr. Courtenay meeting you to-morrow, as he is occupied with law business as a master in chancery, till the hour at which he is to go to the Penitentiary, but I shall be very glad to report to the committee any thing which you may have to communicate, and I shall not go out till twelve o'clock, unless you wish me to call upon you instead of your coming here.

" To Dr. Granville."

" E. Bootle Wilbraham."

N^o 5. (B.)

" Dear Sir,

Leicester-square, 17th June 1822.

" The communication conveyed to me last night by Dr. Granville, from the deputation of the committee, has not only relieved my mind from an infinite degree of anxiety, but has impressed me with sentiments of the highest gratitude to yourself and the other members of the committee concerned in the late most painful discussion, for your very friendly and most kind demeanour towards me.

" By whatever misconception of your letters, my friends, and I happened to receive the impression that I had actually fallen in the estimation of the committee, still, while such an impression existed, it was natural that I should strenuously exert myself to recover their good opinion; and believing myself under the intolerable imputation of a habit foreign to my nature, it will, I hope, be a proof that I value their good opinion the more highly, that I could not bear the apparent loss of it on such grounds with tranquillity.

" It being explained, however, by Dr. Granville, that the committee never entertained the idea that I had conceived to have influenced them, I can have no hesitation to receive the wish conveyed in your first letter, as gratefully as I have no doubt it was meant kindly, and I beg you will be pleased to convey to the committee my respectful assurance that no effort on my part shall ever be omitted, to impress on all concerned in the Penitentiary, a conviction that I am incapable, at any hour of the day or night, of failing in my duty, and it will require very little additional circumspection on my part, to convince them effectually, both by my manner and practice, that I have in reality no other motive than the strictest performance of my professional duties; I should indeed deeply lament that any circumstance could for a moment induce them to think otherwise.

" I have the honour to be, dear Sir,

" Your very obedient and obliged humble servant,

" E. Bootle Wilbraham, Esq.
&c. &c. &c."

" A. Copland Hutchison."

N^o 6.

" Dear Sir,

Portland-place, June 18, 1822.

" I have seen Dr. Granville, who delivered to me your communication, which I laid before the committee, and I have great pleasure in assuring you, by their direction, that they have received it as you could have wished them to do.

" Believe me, dear Sir, your faithful servant,

" Dr. Hutchison."

" E. Bootle Wilbraham."

What statement is that which you hold in your hand?—This is a Statement which I wrote by direction of the committee, illustrative of the former proceedings; it is dated June the 20th, 1822, it has been carefully kept sealed up from that period to the present.

[It was read, as follows:]

*E. B. Wilbraham,
Esq.*

(June 19.)

“ STATEMENT illustrating the accompanying Papers.

“ On the 19th May 1822, a girl, aged about 14, of the name of Mary Turner, died in the infirmary of the Penitentiary, of a consumption, for which Dr. Hutchison had recommended two months before that she should be sent into the country, which the rules of the prison prevented compliance with. On the first meeting of the committee after her death, Mr. Courtenay, the visitor, called our attention to the subject, and told us, that Mr. Pratt, the surgeon, had thought it his duty to inform him, that Dr. Hutchison, who had been with Mary Turner just before her death, had ordered her a warm bath, and had administered a blister and given her a medicine, which he conceives he would not have done just before her death had he been quite sober, but that he was evidently under the influence of wine. On inquiry, Mr. Courtenay found, from the matron (Mrs. Wilkinson) and the two nurses, Mrs. Cowsey and Mrs. Barnacle, that there prevailed an impression among the female prisoners in general, that Dr. Hutchison frequently came in the evening under the influence of wine, and that this impression was spreading in the prison. It was determined by the committee, that I, who was in the chair at that meeting, should write a letter to Dr. Hutchison, to inform him of this suspicion among the lower officers and prisoners, as delicately as I could do so, and I accordingly sent the letter, No. 1, which I had previously submitted to the committee. On the following morning I received his answer, No. 2, but as there would not be another meeting of the committee for some days, I showed it to Messrs. Holford, Courtenay, Calthorpe, and Gilbert, at the House of Commons, and by their advice wrote the letter, No. 3, to which I received an answer, No. 4. This answer I laid before the committee, and we examined the matron and the nurses, who proved that Dr. Hutchison came to the Penitentiary on the evening of Mary Turner's death, at half past seven; that he was told that she was dying, and that he examined, by the touch, her sides and stomach (as all thought rather roughly) and ordered a blister, and that she should be put in a warm bath. This excited general surprize, and Mrs. Cowsey said, that the patient was dying, and would die in their hands in the bath, to which he answered, that he had seen persons recover who were worse than she was. Mr. Bennett, the chaplain, desired that prayers might be read over her before she was bathed, which was accordingly done, and a blister was then applied, and a medicine administered by Dr. Hutchison himself. It being found that the steam was off the boiler, he ordered all the kettles which could be got to be put on, and he then went into the male prison, but had been there only a few minutes, when word was brought that she was dead; this was at five minutes before eight; we were informed of the names of the four female prisoners who were present, and of their looking at each other in astonishment at the order being given. We have learnt also, that the nurses had frequently found Dr. Hutchison irritable and hasty when he came in the evening, which they never perceived in the morning. In order to prevent him the disgrace and inconvenience of a public charge, such as he demanded, Mr. Courtenay and I were desired to speak to Dr. Granville, as his friend, and to represent the case to him, and we accordingly met him at Mr. Courtenay's house, on Sunday, June 16, and explained to him all the circumstances of the case, many of which Dr. Hutchison had suppressed or forgotten, both in his letter to me and in his statement to his friends. Dr. Granville undertook to see Sir Gilbert Blane that evening, and to endeavour, in concert with him, to endeavour to get Dr. Hutchison to write a proper letter of regret, previous to the meeting of the committee, on Tuesday, the 18th, for the special purpose of considering the subject. On the 17th, on my return from the House of Commons, I found Dr. Granville's letter, No. 5. A. and on the following morning he called upon me, and told me, that he had, with some difficulty, persuaded Dr. Hutchison that he had acted injudiciously towards himself and the committee, and that he should write such a letter as would induce Mr. Courtenay and me to persuade the committee to bury the matter in oblivion. We allowed him to say, from us, that we by no means imputed habits of intemperance to him. Dr. Granville gave me a letter, which he and Sir Gilbert Blane persuaded him to write (No. 5. B.), and which I submitted to the committee, and I was directed to write No. 6, in answer, which terminates the business; we requested the matron and nurses to discourage observations among the prisoners, unless any new occasion should give rise to them. I was desired to draw up this statement, and to leave it, with the letters, under the care of the secretary of the Penitentiary, sealed up, in case unfortunately Dr. Hutchison should ever again come under the observation of the committee.

“ Portland-place, June 20, 1822.”

“ *Edw^d Bootle Wilbraham.*”

To Sir Gilbert Blane.—Will you have the goodness to look at that document, which is printed, [*handing a printed paper to the witness*] and inform the Committee whether that is a correct copy of a paper to which you have affixed your name?—It is a true copy of my certificate.

*Sir G. Blane,
Bart.*

(June 19.)

Did you read over the whole of a paper which I now hold in my hand, beginning with the words, "Doctor Granville having with other friends of Mr. A. Copland Hutchison," &c. prior to having signed your name to it?—I cannot recollect.

Did you see Doctor Granville sign this paper, now before the Committee?—Yes, I did; he signed it when I was looking on.

Did you see him sign it?—I was in the room at the moment; we were together.

Do you believe that document printed, to be a correct copy of the one you saw at the time you signed your name, and at the time Doctor Granville was in the room with you?—[*The witness minutely examined a printed paper which was handed to him.*—]This is a copy of what I read in manuscript.

[*It was read, as follows:*]

"Doctor Granville having, with other friends of Mr. A. Copland Hutchison, borne testimony in his favour to the committee of the Penitentiary, they did depute Mr. Courtenay and Mr. Bootle Wilbraham, two of their members, to confer with Dr. Granville on the subject of the correspondence then passing between Mr. Hutchison and themselves; and they did fix upon Sunday afternoon, the 16th of June for that purpose. Dr. Granville, as Mr. Hutchison's friend, and perfectly uninformed on the nature of the communication which these gentlemen intended to hold with him, came to consult with Mr. Hutchison as to the line of conduct he was to pursue in that interview, as far as it concerned Mr. Hutchison. This measure of the committee, after the correspondence which had taken place, appearing of a conciliatory nature, and Dr. Granville being known to entertain a high opinion of Mr. Bootle Wilbraham's judgment, Mr. Hutchison was fearful that some concession on his part might be proposed, which would be inconsistent with his strong sense of injury, and his determined appeal for a public investigation of the charges against him, then alluded to by the committee; Mr. Hutchison, therefore, expressed his regret, that the committee had not selected two instead of one of his friends to confer with; he, therefore, most distinctly charged Dr. Granville to acquaint the two members, that nothing short of their giving up to him the names of those who had been examined, and had made the charge against him, would induce him to forego the public investigation which he had claimed, and still wished to urge. After Dr. Granville's audience with these two gentlemen and with their approbation, he sought Sir Gilbert Blane, another warm friend of Mr. Hutchison. To him he inclosed the communications made by the two members of the committee, and they (Dr. Granville and Sir Gilbert Blane) together visited Mr. Hutchison on the same evening; Dr. Granville then informed Mr. Hutchison, that he was instructed by Mr. Bootle Wilbraham and Mr. Courtenay, to assure Mr. Hutchison that the committee never believed the charge of ebriety made against him, to have any foundation, that they hoped for the good of the institution, he would not press the public inquiry into the said reports against him, that they would satisfy Mr. Hutchison as to the individuals from whom those reports emanated, and who were all present on the particular night specified in the charge, and that they would depend on him for not taking any public notice of their communication, or not so resenting it as to interfere with the duties of the officers in the prison; that they then named to Dr. Granville, the chaplain, the surgeon, the matron, and a nurse of the name of Cowsey. Dr. Granville and Sir Gilbert Blane then urged in the most strenuous manner, upon Mr. Hutchison, the propriety of acceding to this proposal made by the committee; that it was a concession from a body of men that ought to satisfy the most scrupulous feelings of injured reputation, even had the charge been made public, but particularly as the whole transaction had been so delicately conducted by the committee.

"I certify, that such part of this Statement as alludes to my name, is true.

"*Gilbert Blane.*"

"The above Statement, as far as it relates to the part I was called upon to take in the affair, is true, to the best of my recollection.

"31st May 1823."

"*A. B. Granville.*"

Sir G. Blane,
Bart.

(June 19.)

Who drew up the paper which has just been read?—I do not know; I can only say I had no hand in it.

But, as far as you are concerned, you can affirm that it is true?—I think it is very likely that I had a share in it; there is very little that relates to me; I can only say, that every thing that is stated here was conformable to my knowledge.

Did you read that paper yourself, or was it read over to you?—I read it myself, and most attentively.

Before you signed it?—Before I signed it.

E. B. Wilbraham,
Esq.

Mr. E. B. Wilbraham.—In consequence of seeing one day, at the Committee of the House of Commons, a printed work of Dr. Hutchison's, with a Statement of Dr. Granville's affixed to it, I sent to Dr. Granville to say that I wished to speak to him; and upon his coming to me, I represented to him my conviction, fortified by what Mr. Courtenay's memory had supplied me with, that his Statement was extremely inaccurate, and, in one instance, diametrically opposite to the fact we stated to him. I begged of him to take it home, to consider whether or no, upon recollection, he could not produce a Statement more accurate; in consequence of which I received a note from him of the 12th of June 1823, which, with a Statement, are as follows:

" My dear Sir,

Grafton-street, 12th June.

" Since seeing you, I thought that, instead of entering into any polemical or critical disquisition of the Statement bearing my signature, and represented to be imperfect with regard to certain facts and expressions, it would be a preferable course to follow, if I drew up a detailed narrative of the interview I alluded to in that *Statement*, with an account of the circumstances that preceded and followed that interview, (the whole from the best of my recollection,) and to leave the facts to speak for themselves.

" You are welcome to show the narrative to the members of the committee, as you propose; and beg to apprise you, that I have given a copy of it to Mr. Hutchison.—Believe me, dear Sir,

" Very truly obliged

" E. B. Wilbraham, Esq. M. P."

" A. B. Granville."

" IT having been represented to Dr. Granville by Mr. Wilbraham, that the Statement contained in Mr. Hutchison's "Correspondence," bearing Dr. Granville's signature, does not give a full and complete account of the interview which took place in June 1822, with the two members of the committee of the Penitentiary, on the points therein stated, and that it is moreover liable to misinterpretation, the following narrative is drawn up for the purpose of throwing every possible light on that transaction.

" It is impossible, at this distance of time, and without any memorandum, for Doctor Granville to state positively the language or expressions used on the occasion alluded to; but to the substance, nature, and result of what then passed, he can pledge himself without hesitation."

" NARRATIVE:

" In consequence of a letter received by Mr. Hutchison from Mr. Wilbraham, early in June 1822, intimating that *a suspicion was entertained by different individuals (in the Penitentiary) and was even spreading among the prisoners in the several wards, that the directions given by Mr. Hutchison, in cases which came under his consideration after dinner, were marked with haste and precipitation, not observable in an earlier part of the day*, Mr. Hutchison called on Doctor Granville, as one of his oldest friends in London, to ask whether, in the course of their long acquaintance, he had ever observed in his (*Mr. Hutchison's*) conduct, any thing that could in the least warrant the suspicion of his being addicted to the vice of ebriety, with which it was evident that he was charged in the above intimation. In answer to this, Doctor Granville, without the least hesitation, wrote a declaration, dated the 14th of June (printed by Mr. Hutchison) in which, amongst other things he stated, that from his own personal knowledge of Mr. Hutchison, he considered the report affecting that gentleman's character, as a man of temperate habits, to imply a charge which was false, groundless and malicious; Doctor Granville considered the charge to be *a general one*, and as such, he felt it to be his duty to characterize it in the

manner

manner just stated, such a general charge being inconsistent with what Doctor Granville had himself observed of Mr. Hutchison's habits of life. Doctor Granville's declaration could not of course refer to any one particular occasion, that might be guessed or referred to in Mr. Wilbraham's first letter, unless Doctor Granville had happened to have been in Mr. Hutchison's company on such a particular occasion, or immediately after.

On the 15th June Doctor Granville had the honour of receiving the following note from Mr. B. Wilbraham.

E. B. Wilbraham,
Esq.
(June 19.)

"Dear Sir.

Portland-place, June 15, 1823.

"I wish to speak to you on a subject connected with Dr. Hutchison; and I shall be glad if you will let me know whether you will be at home to-morrow at half past four, or at any other time.

"I am desirous that Mr. Courtenay shall be with us, to correct any statement which I may make to you on the subject; and if his house in Duke-street, Westminster, will suit you better, it will be quite as well for me.

"Believe me, &c.

"Dr. Granville."

"*E. Bootle Wilbraham.*"

"Dr. Granville having acceded to the latter part of the invitation, proceeded first to Mr. Hutchison to apprise him of it, and to receive his instructions; these were to repel the charge of *habitual or frequent ebriety*, implied in Mr. Wilbraham's first letter; to deny it with regard to the particular instance specified in this same letter, of which Dr. Granville then heard some of the circumstances for the first time from Mr. H. and to insist for a public inquiry into the grounds and respecting the authors of what Mr. Hutchison considered a most foul and malicious accusation.

"On meeting Messrs. Wilbraham and Courtenay, at the house of the latter, on Sunday the 16th, Dr. Granville found that, with regard to the charge of frequent or habitual ebriety, nothing was required to be said on behalf of his friend; both members agreeing, that the committee did not believe it, and both desiring Dr. Granville to give Dr. Hutchison their assurances to that effect.

"With respect to the second point, some circumstances connected with the treatment of Mary Turner, 'a patient in the infirmary of the Penitentiary under the care of Dr. Hutchison, brought forward as the ground of Mr. Wilbraham's first communication, the necessity of which was, in a subsequent letter from the same gentleman, said to be *more strongly proved by subsequent circumstances.*' Dr. Granville felt that he had only one course to follow, that of denying generally, in Dr. Hutchison's name, that on the occasion alluded to he had been guilty of any impropriety of conduct; of claiming the disclosure of the names of the individuals on whose statement the imputation of ebriety rested, as well as of the 'subsequent circumstances' mentioned in Mr. Wilbraham's letter, and of simply reporting to his friend whatever was stated on those subjects by the two members of the committee; Dr. Granville having no means of making any observation of his own on any circumstances or name that might be disclosed to him, from his total unacquaintance with the particular point under discussion.

"The circumstances attending the death of Mary Turner, which Mr. Hutchison himself had stated in his letter to Mr. Wilbraham of the 7th of June, appearing to Dr. Granville not to indicate the smallest impropriety of conduct in Mr. Hutchison, and the latter gentleman having insisted on knowing to what other circumstances Mr. Wilbraham meant to allude in his two letters, Dr. Granville requested distinct and explicit information on that point; he was then told by the two members, that Mr. Hutchison, on being called in the evening to Mary Turner, who was in the last stage of consumption, declared her to be *in articulo mortis*; that notwithstanding he ordered a draught, containing camphor, æther, and other ingredients, a blister to be applied immediately to the chest, and a warm bath to be got ready for her without loss of time; that the latter direction, in particular, astonished all present, especially one of the nurses, who observed, that the patient would die in the bath; that the chaplain desired to read prayers to the patient first, to which Mr. Hutchison consented, and at which he was present: that on it being observed to Mr. Hutchison that the steam of the boiler had been turned off, and the bath could not be got ready, he desired that all the kettles in the Penitentiary should be set on the fire for the purpose of heating the water for the bath; that the draught and the blister being brought, the former was given to the patient, and the latter being found too large, was cut in two, and the one-half applied on the chest of the patient; lastly, that on Mr. Hutchison going into the male prison

*E. B. Wilbraham,
Esq.*

(June 19.)

till the water should be ready, he was soon after informed that the patient had expired. The two members then proceeded to state, that the above information rested on the uniform declaration of all the persons present on the occasion, namely, the chaplain, the surgeon, the matron, Mrs. Cowsey and others, whom they had purposely examined.

" Doctor Granville being thus made acquainted with circumstances, to which he had before been a stranger, without in the least conceding that any one, or the whole of them, authorized the interpretation of their having taken place under the influence of wine, contented himself with observing, that he would report them to Mr. Hutchison. The two members then asked Doctor Granville what, under the above circumstances, he would think of a medical man giving such directions on so awful an occasion? To which question Doctor Granville replied, that, with reference to the particular case of his friend he could say nothing, as every one of the circumstantial facts then mentioned to Doctor Granville for the first time, might be denied by Mr. Hutchison when reported to him; but that with regard to the question put generally, of a medical man acting thus at such a crisis, particularly in ordering a bath, the least he could say, was, that it was bad practice.

" It is necessary to state, that Mr. Hutchison has at all times since the interview, denied in the most solemn manner, the truth of the allegation respecting the bath, (which he declares to have ordered for another patient.) With regard to a public inquiry, which Doctor Granville stated he was instructed by Mr. Hutchison to demand, the two members repeated the same suggestions and observations made by one of them to Mr. Hutchison in his letters of the 7th and 13th of June, which he declared originated entirely in the personal respect of the committee for Mr. Hutchison; that, from a formal inquiry in a matter which it was obvious could never be brought to issue, no good could arise either to Mr. Hutchison or to the institution; that although the ground afforded room for suspicion, the committee (as Mr. B. Wilbraham had before said in one of his letters) were extremely unwilling to suppose that suspicion unfounded; and that such being the case, they wished him not to press his demand farther, but so to conduct himself as not to appear to resent the communication in his intercourse with the officers of the Penitentiary, so as to interfere with their duties in the prison.

" After these various declarations from the two members of the committee, and considering that no admission was made on the part of Mr. Hutchison by his friend during the interview, which could in the least affect his honour, Doctor Granville determined on advising Mr. Hutchison to accede to the proposition of the committee, and with their permission he sought the assistance of Sir Gilbert Blane, another warm and old friend of Mr. Hutchison, who, with Doctor Granville, prevailed on Mr. Hutchison to put an end to the discussion altogether by the letter, dated, Leicester-square, June the 17th, the contents of which appear subsequently to have been approved by the committee.

" The statement in Mr. Hutchison's private papers, bearing Sir Gilbert Blane's and Doctor Granville's signatures, was meant to convey no other conclusion than what Doctor Granville deemed, in his conception, could be obviously drawn from the series of facts which he has now detailed at full length in the above narrative."

" Grafton-street, Berkeley-square, 11th June 1823."

Not understanding the passage in which the word " unfounded" occurs, and also stating, there was an omission of one expression made use of, namely, that if Dr. Hutchison did wish for inquiry he should have it, but we did not mean to suffer our female attendants to be brow-beaten for doing that which we considered to be their duty, I wrote to Dr. Granville, in consequence of which a postscript is added to the foregoing, which, with the letter from him, I will now read:

" My dear Sir,

Grafton-street, 12 June 1823, 9 o'clock.

" On looking at that part of my narrative, to which you have called my attention by your letter of this morning, I find that I made a mistake in using the word " unfounded," which makes nonsense of the context of the period, and ought to have been ' well founded,' an expression I thought (from recollection) the more likely to have been used by you, as I find it used in your letter to Mr. Hutchison, dated a few days before the interview. By such an expression, of course, I understood you not to imply that the committee absolutely disbelieved the suspicion, but that they would rather, for the good of the institution, and Mr. Hutchison himself, not believe it; particularly as they expressed a wish that Mr. H. would, by his future conduct, ' dispel the impression'

impression' then existing against him; a wish which Mr. Hutchison promised to attend to in his final reply to you, dated the 17th of June. My narrative, therefore, does not appear to me to convey the meaning which you seem to apprehend it may be thought to bear in the passage in question, namely, that the members of the committee disbelieved the rumours, especially after they had been corroborated by the joint testimony of several persons examined respecting them. Neither was it my intention, that the passage in question in my narrative should imply that you wished he (Mr. Hutchison) might not prove himself innocent. With this further explanation, and after substituting the words 'well founded' for 'unfounded,' I trust you will see no necessity for any interlineation or alteration in the narrative, which I should have to make equally in the copy I have already delivered to Mr. Hutchison, agreeably to the notice I gave you this morning. As to your declaration respecting the inquiry not being mentioned by me, it is really an omission in my narrative, for which I cannot account, as I perfectly recollect your making it. I have therefore added it to the paper which I return, and I will take care to send copies of the same addition to Mr. Hutchison, as soon as I shall have heard from you that my explanation respecting the other point is satisfactory.

"Believe me, my dear Sir, very truly yours,
"A. B. Granville."

This is the postscript to which I alluded, and which is added to the preceding document:

"Dr. Granville has unintentionally, and from an oversight, omitted to say, that in one part of the conversation with Mr. Wilbraham, that gentleman declared, that if Dr. Hutchison still persisted in demanding an inquiry, he should have it, but that he for one would not suffer the females of the Penitentiary, whose names he had mentioned, to be brow-beaten by Dr. Hutchison, for doing what Mr. Wilbraham conceived to be their duty."

William Courtenay, Esq. a Member of the Committee; Examined.

YOU were visitor in June last, at the Milbank Penitentiary?—I was.

Were any complaints made to you connected with the circumstance of the death of Mary Turner?—Sometime in the month of June, (I do not recollect the exact day) Mr. Pratt, the surgeon, requested permission to speak with me in private upon a matter, which he represented to be of great importance to the institution, and creating considerable difficulty and embarrassment to himself; on the first occasion that I could give time for it, I saw Mr. Pratt, the surgeon, in his own house, when he stated, that he wished to mention to me some circumstances that had occurred in the infirmary, upon the occasion of the death of Mary Turner, and he added, that what had occurred had placed him, as he conceived, in a very awkward and responsible situation; he then stated to me, that upon Dr. Hutchison visiting Mary Turner, they found her in the evening of a particular day in a dying state, and he then reported to me what had been ordered for her, particularly and distinctly stating, that Dr. Hutchison ordered a bath for her after having remarked to him, Mr. Pratt, that she was *in articulo mortis*, and that at the same time he had ordered a cordial draught to be prepared and given immediately; he added, undoubtedly, to me his impression, that Dr. Hutchison at that time was under the influence of wine; I put it to him, whether it had, as far as his observation had gone, been observed at other times; he stated to me, that Dr. Hutchison had frequently appeared to him to be hasty and impatient upon the occasion of his evening visits; he could not undertake to say whether that arose from the effect of wine or not, but he stated to me distinctly, as the result of his opinion on that particular occasion, Dr. Hutchison was under the influence of having taken too much wine; I of course asked him who were present at the time, he stated to me that the chaplain, the matron and a nurse of the name of Cowsey, were present; and he mentioned also some female prisoners, patients, who were in the room, whose names I do not now remember; he added, that the conduct of Dr. Hutchison upon this occasion, evidently excited the astonishment of the other persons present; and that the matron and the nurse, or one of them, observed, that the patient would die before she could be put into the bath; upon receiving this communication, I thought it my duty to examine the matron and this nurse, which I did, not in the presence of Mr. Pratt; the matron confirmed the statement as to all the facts stated by Mr. Pratt; I felt considerable delicacy in putting to her a direct question, so affecting the character of Dr. Hutchison, as to ask her whether he was, in her judgment, at

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that time under the influence of wine, but I did feel it absolutely necessary to endeavour to ascertain her opinion, and she undoubtedly was under the impression, and confirmed to me the impression, that such was the fact; I then saw the nurse, and found in that nurse an evident reluctance to state any thing prejudicial to Doctor Hutchison.

That is nurse Cowsey, to whom you allude?—Yes, nurse Cowsey; and I did not feel it consistent with my duty to enter into what might be called a cross-examination upon such a subject, but I am prepared to state distinctly, that she did in her representation of that transaction, also confirm the same impression.

Although she was under some impression of fear?—I did not say fear, but a reluctance to state any thing prejudicial to Dr. Hutchison. I mean distinctly to say, that I collected from what she stated to me, that Dr. Hutchison was upon that occasion under the influence of wine. After having received those communications, I felt it my duty to make a report upon the subject to the committee, which I did, after having desired the secretary to quit the room; and such proceedings were subsequently taken as have been detailed to this Committee. The conviction that those representations produced upon my mind was, that there had been in Dr. Hutchison's conduct on that evening, a haste and precipitation, arising either from a state of irritation, or from the cause imputed, namely, of having taken too much wine; but it never occurred to me to impute to Dr. Hutchison habitual inebriety. If I had been of opinion, that the charge of habitual inebriety could have been well founded, undoubtedly I should not have thought it consistent with my duty to have permitted Dr. Hutchison to have continued the medical superintendent to the establishment. Much reference having been made to the chaplain, with relation to this transaction, I wish to state distinctly, that no communication whatever was made to me upon the subject by Mr. Bennett, except in answer to questions which I felt it my duty to put to him, after the previous information had been given to me; and, that when I had put such questions to him as I thought it necessary to put, he evinced what was in my opinion too great an anxiety not to say any thing which might affect the character of Dr. Hutchison. I say, what appeared to me to be too great anxiety not to say any thing of that nature; because I felt then and feel now that it was the chaplain's duty, without consideration of the consequences to any one's character, to have stated most unequivocally and plainly to the committee, every thing which he observed on such an occasion.

Did you see a letter before it was sent, dated June the 7th, and signed by Edward Bootle Wilbraham?—Yes, I did; I believe I was present at the committee.

Was that letter to be taken as a private letter, written by Edward Bootle Wilbraham, or written by him as chairman of the committee, with the consent and approbation of the persons present?—As well as I recollect, it was neither to be taken as a private letter of Mr. Wilbraham's, nor as chairman of the general committee; if I recollect right, it was rather to be taken as a letter written with the concurrence of myself and one or two other gentlemen, who took a more immediate part in it, than as a letter submitted to the whole of the committee.

Did you consider yourself the letter as written from the committee, technically styling itself so, composed of a number of persons to whom you have referred?—It refers to the committee, and therefore I conceive it must be taken as a committee letter.

When the authority of the committee is introduced, is it not signed by the secretary?—It is generally, but in this case the secretary was sent out of the room.

You have stated, that neither you nor the members of the committee meant to charge Dr. Hutchison with habitual intoxication, how do you reconcile that opinion with this paragraph in the letter, "The result has been, that we have discovered with much regret and concern, that a suspicion is entertained by different individuals, and is even spreading amongst the prisoners in several wards, that the directions which you give in cases which come under your consideration after dinner, are marked with a haste and precipitation which are not observable in an earlier part of the day?"—The two cases appear to me to be perfectly reconcilable; the letter meant to state what appeared to be the impression entertained by the persons there referred to; my answer referred to the impression entertained by myself and the members of the committee.

Did you mean then to direct Dr. Hutchison's attention to the simple case of Mary Turner, or his attention to that loose and general charge which was made against him, and which you state to be believed by the prisoners?—We meant to convey to Dr. Hutchison that such an impression did prevail, and having satisfied myself

myself that such an impression did prevail, I should have thought it very unfair to Dr. Hutchison not to make him acquainted with that fact.

Did you mean then to direct his attention specifically to the charge of Mary Turner, to which you expected an explanation, and to suggest to him that explanation was more requisite in consequence of a general suspicion being entertained that what occurred in the case of Mary Turner, was not to be taken as a solitary instance?—Exactly so.

Did you give in to the committee a statement in writing?—I think not.

Was there any minute made of it at the time it was given in; your statement?—I think not.

Were there any witnesses examined then by the committee?—I really do not remember; I think there were. I think the matron was called in, but I am not certain.

Was the chaplain called in?—I think he was not; our object very much was, not to mix him up with it.

Was Mr. Pratt called in?—I think he was; but I really am not certain.

Did you ever furnish to Dr. Hutchison a specific detail of the precise nature of the charge made against him and the persons who supported each allegation?—In the interview which has been referred to as having taken place with Dr. Granville, I stated to him (Dr. Granville) all the circumstances which have been stated to me, and which have been subsequently detailed to this Committee.

Did you give Dr. Granville a copy of that statement in writing, or was it told him in the nature of a conversation?—It was told him verbally.

Did you ever tell Dr. Granville the names of the witnesses who were present at the transaction alluded to?—I stated to Dr. Granville the names, as far as I knew them, of all the persons who were present; the names of some of the prisoners I was not acquainted with; and I then detailed to him in what manner the information came to me, upon which I felt it my duty to report.

Did you specifically tell Dr. Granville what part and portion of the allegation each witness proved?—I can hardly answer that question distinctly; I have a perfect recollection and certainty that I detailed to Dr. Granville the whole circumstances that had been detailed to me, and which I have now detailed; and I mentioned to him the surgeon, the matron, and nurse by name.

Did you name the chaplain?—I certainly recollect having named the chaplain; but it was principally for the purpose of impressing upon Dr. Granville's mind the fact, that we had not received the information from the chaplain.

Did you explain to Dr. Granville what was the nature of the testimony which the chaplain had given?—I think I did; and I believe I have not before stated here what was the nature of that testimony. When I felt it my duty to ask some questions of the chaplain, he stated clearly to me that he had observed a great haste, and a sort of irritability of manner about Dr. Hutchison on that evening. As far as I collected from the chaplain, it was not his impression that it arose from the effect of wine; on the contrary, he gave me his opinion that it was more constitutional.

Did he state to you that any particular domestic circumstance had recently arisen to Dr. Hutchison, that might reasonably account for some irritation of mind?—I think he did; I know he did at some time, and I think he did then.

Did he state to you any thing that passed between Dr. Hutchison and himself that evening, or any other evening, which evidently showed such perturbation of mind?—I do not recollect; his distinct impression was that wine was not the cause.

Do you think that you told enough of the chaplain's testimony to Doctor Granville, to have warranted him in stating to Doctor Hutchison, that the chaplain had not brought against him the charge of inebriety?—I certainly do; for both Mr. Wilbraham and myself felt it of extreme importance, that a good understanding should subsist between the chaplain and the medical superintendent; and I was certainly very anxious to leave an impression upon Doctor Hutchison's mind, through the medium of Doctor Granville, not unfavourable to the chaplain; and I own myself to be a good deal surprized at the representation which appears to have been made by Doctor Granville, of what had passed with respect to the chaplain.

Did Mr. Bootle Wilbraham ever show you a letter of Doctor Hutchison to him, dated June 17th, 1822?—He did.

On reading that letter, does it not appear to you that Doctor Hutchison wrote that letter under an impression, that he was completely exonerated from the charge

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in the estimation of the committee who had made it?—It certainly does; and it did so appear to me upon the first reading of the letter; but I was so anxious that the whole matter should be brought to a close, and that the mind of Doctor Hutchison, who was to continue our medical superintendent, should not be kept in a state of irritation, that, although I thought that letter assumed a little more than perhaps all the circumstances would have warranted, I considered it more judicious not to have any reply made to that letter, and to permit the matter to drop without any further inquiry.

Have you before you a letter of Mr. Bootle Wilbraham's, dated June the 18th, 1822, to Doctor Hutchison?—I have.

Does not that letter too convey to your mind the impression, that the committee under whose direction it appears to have been written, assented to the letter which they received from Doctor Hutchison?—It does.

On what day did that first conversation take place?—I do not recollect the day.

Do you recollect the day on which Mary Turner died?—I believe it was on the 19th of May.

Do you recollect how long it was after the 19th day of May?—It must have been quite at the beginning of June, or the latter end of May.

About how long after her death did this conversation take place with Mr. Pratt, or was the first communication made to you on the conduct of Doctor Hutchison?—I cannot speak with accuracy to the day; it must have been about ten days after the transaction; but I must add, Mr. Pratt desired to have some conversation with me a day or two before it suited my convenience to see him, I had no intimation what it was about.

During the time that Doctor Hutchison has been medical superintendent of the Penitentiary, had you frequent opportunities of seeing his conduct and general demeanour?—Certainly.

Did you frequently see him in the course of the evening?—No, I cannot say frequently, but occasionally.

Did you ever observe any thing particular in his conduct in the course of the evening?—Certainly not.

Then you need not be asked whether you observed any thing approaching to inebriety?—No.

What was the general manners of Doctor Hutchison; were they those of a person generally cool and composed, or otherwise?—I do not recollect at this moment that I ever happened to witness Dr. Hutchison's attendance upon the patients, I have always considered his manners and conduct to be that of a man of talent and intelligence; I am at the same time bound to say, that I have formed an opinion that he wanted coolness of temper, and was liable to be irritated and take up wrong impressions, which a man of cooler conduct would not have done; in order that upon such a subject I may not unintentionally state any thing incorrectly, I wish to add, that what appeared to me to be the defect in Doctor Hutchison's temper, always appeared to lead to conduct that operated more prejudicially to himself than to any other person.

Did you not consider him a person of a very kind and humane disposition?—I certainly have not the slightest reason to think otherwise, except that there certainly was a prevailing impression among the females that his manner towards them was rough, and there was also an impression among many of the inferior officers of the Penitentiary of the same nature; it should be remembered, in an establishment of this sort, a great difficulty is imposed upon the medical men, to guard against imposition, and that disposition which frequently exists among prisoners to get up into the infirmary without having real illness; it certainly has been felt in the prison that Dr. Hutchison sometimes carried his anxiety to guard against this disposition of the prisoners too far, and that he sometimes treated rather sharply prisoners who afterwards turned out to have some well founded complaint; but, as far as my own personal observation has gone, I have not any reason to doubt, that in substance he was kind and humane in his treatment to the prisoners.

Until Mr. Pratt stated to you the facts you have mentioned to the Committee, was there any formal complaint made in the Penitentiary against Dr. Hutchison, on account of intoxication, or otherwise?—There was not.

You have frequently conversed with Dr. Hutchison, have you not?—Frequently.

In conversation is his manner agitated, or otherwise?—I think that I have observed that it is sometimes.

His

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His lips quiver?—Yes; he would give you a notion of a man in a passion sometimes, when he is not. I conversed frequently with Dr. Hutchison, with reference particularly to the effect of the dietary, and I always received from him the impression, that nothing but the experience of many months could justify any one in coming to a decided opinion on that. I thought Dr. Hutchison's observations upon that subject exceedingly sensible, from time to time, when I took an opportunity of talking with him.

The Committee has understood, that Mr. Pratt was the first person who gave the information upon which this complaint has been founded, as against Dr. Hutchison?—He was.

Is he a man of such eminence in his profession as to entitle him to look forward to be medical superintendent of the Penitentiary at any time?—Unquestionably not.

In such a prison as the Penitentiary, where so many male and female patients have been brought into the infirmary, is quickness of decision, in the medical superintendent, upon any cases that might come before him, a very necessary ingredient in the mind of a practitioner of that description?—I should think it is, if combined with sufficient deliberation.

You have stated that Dr. Hutchison is of a quick, and rather violent temper?—I have.

Did he ever make a complaint to you of any officer as visitor in the establishment?—I do not think he ever did make a complaint to me as visitor; I recollect his having made one or two complaints to the committee, relative to circumstances connected with the infirmary, which, upon investigation, we did not think to be very well founded, particularly with regard to the supply of linen and other articles for the sick.

Would you say he was a harsh and cruel person to those over whom he had controul?—I have no sort of right, or any ground to say so; I certainly have understood, from both the matron and the nurses, that his manner at times to them was hasty, and I particularly regretted this with respect to the matron, because I have a very good opinion of her, and conceive her a very useful and efficient officer, and I lamented to see, from some cause or other, that Dr. Hutchison and she did not go on comfortably.

Is it not necessary often for a medical man in Doctor Hutchison's situation, to keep necessary subordination in the department, that he should be very often quick with people?—Knowing what I do of the matron, and the manner in which her duties are performed, I should not think it necessary for any man to adopt such a line of conduct towards her.

How long ago is it since the observation was made, that Doctor Hutchison's conduct was rather hasty to the matron?—Principally subsequent to this transaction.

The Committee do not understand you to say, that that was your impression, but her's?—I have not seen them together.

And it was subsequent to this transaction?—Yes.

Did you ever perceive previous to that time, any dislike to Doctor Hutchison, on the part of any officers of the prison?—I never perceived it; and with reference to the idea of plot and conspiracy, which has been alluded to, I conceive such a suspicion to be altogether groundless, and not to have the slightest foundation in fact.

Do you not think it rather natural, and hardly to be attributed to any infirmity of temper, that a person who had been informed that a woman in the situation of the matron in the infirmary, had preferred against him an accusation of inebriety, that there should exist in the mind of that person some disposition hostile to the individual so accusing him?—It appears to me not at all unnatural.

Do you conclude, that the subject was mentioned by you at one meeting of the committee; and that the letter received the sanction of a second committee, and was not sent till after that?—I do.

Do you remember in the conversation with Doctor Granville, it was stated by yourself or Mr. Wilbraham, that the chaplain had been asked about it, and that he said that the manner of Doctor Hutchison on that day mentioned, was certainly very odd?—I do.

Do you recollect in the course of the conversation, that Doctor Granville took up that high tone which appears in this statement, namely, that nothing would induce Doctor Hutchison to forego a public investigation, but the giving up of the names of those who had accused him?—I do not remember it.

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Do you not remember, that before Doctor Granville had stated any thing to that effect, a full disclosure was made of names and every thing?—I recollect perfectly, that the course which we took was in the first instance, to put Doctor Granville in possession of all that we ourselves knew; and I must add, that Doctor Granville stated to us, that the whole of the information which we conveyed to him, had not and could not have been given to him by Doctor Hutchison; that the story we gave to him was new.

Do you not recollect, in the course of their conversation, Dr. Granville made use of a stronger expression than “bad practice,” when the circumstance of the blister and draught administered to a dying patient, together with a bath, was mentioned, that it would make a material difference?—He did use those words; and it may be proper to add, that he did not, upon any of the interviews at which I was present, suggest that the bath was ordered for any other patient.

Do you think that the wish of the committee, in urging Dr. Hutchison not to press for a public inquiry, arose from any other motive than from a sentiment of respect and feeling towards Dr. Hutchison, which was due to his own character?—I certainly think it arose from no other motive.

When it was urged that, for the good of the institution, he should not press the inquiry, was it not stated, that it would be compromised if he was called upon to act daily with persons, who had given information unfavourable to him?—It was.

In point of fact, a regard to the welfare and character of Dr. Hutchison were the sole motives that influenced them in their line of conduct?—Consideration for the character of Dr. Hutchison, and consideration of the welfare of the institution, and having made up our minds that, under all the circumstances, it was desirable to continue Dr. Hutchison as medical superintendent, we were anxious that the matter should be buried as much in oblivion as possible; although I am bound to say, that it must not be from thence inferred, that we conceived the charge to have originated in malice or conspiracy, or that we believed the charge, so far as related to that particular night, to be altogether without foundation. My own individual impression was, which it is fair to all parties to state, that, on that particular night, Dr. Hutchison accidentally was in some slight degree under the influence imputed to him. I was satisfied that no evil in the event had resulted from that accident; and I felt it most consistent with my duty to the institution, and my duty to Dr. Hutchison, to leave the matter to terminate as it did.

Was it not, in the course of the discussion upon that subject, urged at the time when the committee were thinking of not taking any steps at all upon the subject, that their duty to the public, and to the unfortunate prisoners committed to their care, and who, in the event of illness, have no possibility of acquiring other medical assistance than such as was ordered them, rendered it necessary that a hint should be given to Dr. Hutchison of the extent of such a suspicion among the female prisoners?—It was.

But, if Doctor Hutchison insisted upon the investigation, even considering and giving the very best motives to the committee’s delicacy, how would the welfare of the institution have suffered in the public opinion, because a particular officer had been accused of accidental inebriety, or another officer had given information thereof?—I conceive the institution would have suffered by any such discussion; I thought then that it would have been injurious to the institution to have lost the services of Doctor Hutchison upon any such ground, if such charge had been substantiated; in the other alternative, if the charge appeared to be made without proper foundation, I conceived that we must have lost the services of one or more persons whom I thought valuable servants of the Penitentiary.

Have you anything further to add to that answer?—I felt satisfied, that, after the course that had been taken, there was no danger of even a suspicion of such a circumstance occurring again.

Will you look at that paper (*handing a printed paper to the witness*), “Copy of Statement to Morton Pitt, esquire,” and tell the Committee who were present when that report was made?—I was present for one; I must refer to the minutes of the committee.

Do you recollect any who were there?—I rather think that was a full committee; I think Mr. Holford and Mr. Wilbraham; and I should say, several of the new members were also present.

Was the whole of the correspondence that had taken place upon this occasion, and

and all the evidence to support the allegations, laid before the committee on that occasion?—It was before the committee; I cannot undertake to say, that every portion of it was read by every member, or publicly to every member.

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There is a passage in this report to this effect: "it is not a malicious tale, the result of cabal or intrigue; but it was a statement regularly communicated through a proper channel, the visitor, Mr. Courtenay, to the committee; and it was then, and still is, by the committee admitted to be true." Did the committee ever hear anything that Doctor Hutchison had to say upon the subject; did they ever hear anything from him previously to their arriving at that conclusion?—The course that was taken has been already stated in the letter of Doctor Hutchison above referred to, and the interview with Doctor Granville, which are before the Committee; the committee did not, as far as I know, ever see Doctor Hutchison upon the subject. The paragraph referred to, was written in consequence of a letter from Mr. Morton Pitt, who took upon himself to state, if I recollect right, in a letter, of which he authorized the publication, that a system of malicious tale-bearing existed; and in which he manifestly inferred, that the imputations against Doctor Hutchison had rested upon such foundations alone; it became necessary, therefore, a necessity to which the committee yielded with much reluctance, to state in what manner the imputation alluded to, had originated.

Did not Dr. Hutchison, from the beginning, press for a minute investigation?—I can only answer that by referring to what passed with Dr. Granville; undoubtedly Dr. Hutchison, without hesitation, desired to meet the charge by a minute investigation and inquiry.

Did he ever receive a minute investigation and inquiry?—In what manner and upon what grounds that minute investigation and inquiry were afterwards waived, the Committee are able to judge, from a perusal of the statement, of what actually took place.

Is it the practice of the committee to decide upon the truth of charges alleged against officers of their establishment, without going into a minute investigation of those charges, confronting the witnesses before the person charged, and giving the person charged an opportunity of entering into a defence?—Certainly not, if the person charged is to be affected by any consequences arising from such charge; but if the question is meant to apply to the formation of some opinion by the committee, or of an individual of the committee, upon which no act is intended to be done, I can only say, that in this particular case, and I desire not to answer the general question as to what was the practice, but in this particular case I thought I should best discharge my individual duty by not calling Dr. Hutchison before the committee, and not going into a minute investigation of the subject.

It appears by this statement, that the committee came to a deliberate opinion that they believed the charge to be true; what evidence had the committee before them that enabled them to determine upon the truth of a charge, without hearing the defence of the person accused?—The committee had taken the evidence of Mr. Pratt and Mrs. Wilkinson, and the nurse.

Is it not apparent that the committee came to a decision against the character of an individual, without hearing him in his defence, and that they affirmed a charge without examining it?—No.

Did they hear Dr. Hutchison in his defence?—I have before said that they did not see Dr. Hutchison personally.

Did they confront him with the witnesses?—Certainly not.

Did they give him an opportunity of examining them?—Certainly not.

Did they show him the testimony upon which the charge was founded?—No.

Did they show him a copy of the charge?—No, not in writing; but they stated it through Dr. Granville to Dr. Hutchison.

Was Dr. Granville selected by Mr. Wilbraham, or chosen by Dr. Hutchison?—I cannot state that I have personally any acquaintance with Dr. Granville; he was selected as being believed to be the friend of Dr. Hutchison, and happening to be the physician usually attending Mr. Wilbraham's family; I had no personal acquaintance with him.

If you had received a letter stating, that in your situation which you fill so creditably to yourself and so usefully to the public, you had in any one instance fallen into the practice of which Dr. Hutchison was accused, should you not have called for a most rigorous examination into the charge?—I hope and I believe that I should.

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Can you then be surprized at the tone of indignation which was taken by Doctor Hutchison at a similar accusation being preferred against him?—I never was surprized.

Do you think that he would have submitted to that imputation being preferred against him and not substantiated, if he had not distinctly understood, that the committee had never entertained an idea of its truth?—I cannot possibly answer to what Dr. Hutchison, under any circumstances, might have done; I am led from subsequent circumstances to believe, that Dr. Hutchison considered the committee not to believe the statement, I consider that he supposed the whole to have been decided.

Is that statement of the committee's, believing the charge to be true, intended as an answer to a passage contained in Dr. Hutchison's letter to the committee. Was not the belief mentioned in the statement, intended as an answer to that, and that it appears that only the statement or charge was believed; but does not import that any decision was come to on the part of the committee?—My impression is, that it was called for by Mr. Morton Pitt's letter.

Will you state, whether at the time the proceedings alluded to in June took place, you believe that there was any one of the members of the committee concerned in those proceedings, who had any dislike to Dr. Hutchison, or any wish that a change should be made in the medical superintendent?—I certainly believe not; speaking for myself alone, I can certainly say, that it would have given me very great pain, indeed, if I had been led to do any thing injurious or even unpleasant to Dr. Hutchison; it is but fair to add, that I certainly concurred at a subsequent period, in the resolution which led to Dr. Hutchison's quitting the medical superintendence of the Penitentiary, and that my acquiescence in that resolution proceeded upon grounds altogether distinct from any circumstances connected with the transactions under review.

Will you be so good as to state to the Committee what were the circumstances which led the committee of the Penitentiary coming to that resolution?—It is already well known to the Committee that when the illness in the Penitentiary assumed so alarming an aspect, as it did towards the end of February last, the committee felt it to be their duty to introduce other medical advice into the prison; a selection of the two physicians was made in this manner; I was requested to get from a physician of great experience with whom I happened to be personally connected, the names of several physicians of good education and experience, and whose avocations should not be too great to permit them giving great attention to the prison, Dr. Roget and Dr. Latham were then selected; with Dr. Roget I had a long personal acquaintance; I knew him to have been, for twelve or thirteen years, a most active and useful physician to a charitable institution, in which I have taken some interest, the Northern Dispensary, and I considered that the experience which that situation and his previous situation of physician to the Manchester Infirmary, had given him, of the disorders incident to the poorer classes of society, together with his general intelligence, rendered him peculiarly fitted for the task we wished to impose upon him; with Dr. Latham I had no personal acquaintance, I knew him only by character; when these gentlemen began their duty at the Penitentiary, they were instructed by us to communicate fully and freely with Dr. Hutchison; we had every reason to believe that they did so, and we were consequently very much chagrined to find that Dr. Hutchison considered their appointment not as we had wished it to be taken, as a matter of satisfaction and ease to himself, but as, in some measure derogatory or insulting to him, he appears to have written the letter of the 8th of April 1823 under such feelings; upon receipt of this letter, and particularly upon reading the postscript to it, I felt convinced for one, and I believe the impression was the same on the rest of the committee, that from whatever cause it arose, the result was, that Dr. Hutchison and the committee, and Dr. Hutchison and the then existing establishment of the Penitentiary, could not go on well together; we felt under that appeal, coupled with other circumstances, that we could not go on; I am bound also to add, that it did appear to me, that although Dr. Hutchison probably understood the nature of the disease then prevailing as well as any man could understand it, from some cause or other he had not made that minute investigation into the disorder in its incipient state throughout the prison, which might have been done; I felt therefore that he had the less right to be angry at the introduction of other medical persons; but it is clear, that when those persons were introduced, there was no intention of superseding Dr. Hutchison by their introduction.

When

*W. Courtenay,
Esq.*

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When the committee came to that resolution, that the two physicians were to communicate with Dr. Hutchison, did they mean that they were to consult with him as to their practice, or to communicate with him as to the disease, and he was to follow their prescriptions?—Our intention was, that the same course should be pursued upon that occasion as would be pursued in a private family, if an additional physician was called in, or whatever was the etiquette, that the practice should be followed in this case as in others. I believe in practice the result would necessarily have been, from Dr. Hutchison not practising avowedly as a physician, that the two physicians would naturally have taken the lead in the medical treatment; but undoubtedly there was not, I am certain there was not, on the part of the committee, the least disposition to place Dr. Hutchison in any situation unbecoming his situation as a gentleman.

Do you not think that, as it has been given in evidence that Dr. Hutchison found an objection on the part of Mr. Pratt to making up medicines which he had ordered, that that circumstance would naturally create in his mind, as a professional man, some jealousy between him and the persons who were called in?—I believe the circumstance referred to has been a little misunderstood; I believe the real state of that case to have been, that after the medical charge of the infirmary had been undertaken by Drs. Latham and Roget, who prescribed such medicines as they thought fit, Dr. Hutchinson inquired of Mr. Pratt, "If I was to order so and so for a patient, would you give it?" That is my version of the story, as I have heard it. Under the circumstances, I think, Mr. Pratt answered very correctly, that he could not; that he should be embarrassing the thing very much if he did.

Among the reasons for the committee coming to the resolution of separating from Dr. Hutchison, was it not the conviction that a good understanding, between the medical superintendent, the chaplain, and matron, is essentially necessary to the welfare of the establishment?—That certainly was one cause that operated very forcibly upon my own mind; and I am decidedly of opinion, that the medical superintendent who cannot see any conceivable connection between his duties and those of the chaplain, to such an establishment as that of the Penitentiary, has not a correct view of his own duty.

Did not Dr. Hutchison himself advise the calling in of other physicians?—I really do not recollect it; I should be sorry to say he did not, if there is a suspicion of such a thing; Dr. Hutchison certainly recommended recourse being had to other medical advice, with respect to the formation of the dietary; but I do not believe he did on the subject of the disease.

Do you know whether the two physicians refused to consult with Dr. Hutchison?—I do not know the fact.

Do you know whether the surgeon, by their desire, refused to make up his prescriptions?—I do not know that; but I conceive that it would have been absolutely impossible, consistently with due regard to the health of the prisoners, that the surgeon should be making up prescriptions for different medical men at the same time; some person must take the lead, as it seems to me.

Do you know whether Mr. Peel had sent for Dr. Hutchison to examine him about the state of the Penitentiary before Dr. Hutchison wrote that letter?—I do not know that fact otherwise than from Dr. Hutchison's statement; I have no doubt that the fact is so.

Has not the secretary of state, by virtue of his office, a general control over all the prisons and hospitals in Great Britain?—Yes, I believe so; a general control.

Was Dr. Hutchison actually the superintendent, or was he dismissed from his office, when you desired those two other medical gentlemen to be called in?—He was at that time medical superintendent; it was in consequence of his conduct afterwards that the committee thought it necessary, mixed up with other circumstances, to remove him.

Have not the committee, by the act of Parliament, a sufficient power to dismiss the officers of the Penitentiary?—Yes, they have.

Of course, by those other circumstances, you do not allude to any thing that passed in June last?—Certainly not.

Was the letter bearing date the 17th day of May 1823, considered by the committee as a letter addressed to an individual, and not meant for the public eye?—The passage alluded to in that letter, was drawn forth by Mr. Pitt's letter; and was in truth a sort of answer to the charge which he had made against the committee and the visitors, and it was addressed to Mr. Pitt alone; and it was the act of that gentleman or Dr. Hutchison, to put it into print.

*W. Courtenay,
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As it appears by a note of Dr. Hutchison's, dated Friday 7th June 1822, that Mary Turner died on the 19th of May, and the first information of his conduct being judged improper on that melancholy occasion, was not made known to him till the 7th of June, or three weeks afterwards; what was the reason that there should be such a lapse of time between the period of Mary Turner's death, and the making of this charge?—I have already stated, that Mr. Pratt desired to make a communication to me, but he did not give me any information of the nature of it, and I have not the least recollection of precise dates; I took as early an opportunity as I had of hearing the story, and of the first committee to carry it before the committee; and a further delay of a week occurred, because it was thought desirable that the letter should not be sent until the meeting of a second, in order that what they did should not be done in haste, or without due deliberation.

Veneris, 20^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Dr. Roget requests of the Committee to allow him to make the following addition to the evidence of *Dr. Latham*, given on Wednesday June 18th.

Dr. Roget.

(June 20.)

I BEG I may be allowed to say, that I fully concur in the statement which *Dr. Latham* has made of our sentiments on this occasion; and also to add, that we are convinced that these frequent visits, inspections, and interrogations of the patients in the Penitentiary by a succession of different medical men, some of whom have volunteered this office, and some of whom have gone round without our knowledge, independently of the prejudice occasioned to ourselves, have been productive of very injurious effects to the prisoners themselves; such perpetual interrogation on the same topics has raised suspicions in their minds that there is something wrong, that some blame has been incurred, that some mismanagement has existed, by which they may have suffered. It shakes their confidence in the measures adopted for their benefit; it renders them restless, and dissatisfied and impatient, and it indisposes them to conform to the medical treatment which is proper for them, of which the efficacy will thereby be much diminished; they are led to imagine that some plan is in agitation for changing their condition; they delude themselves with the hopes of pardon, and are in consequence tempted to exaggerate their complaints, and to resort to those arts of deception in the practice of which they are generally but too well versed. We must, therefore, most earnestly deprecate any further interference with us in the execution of the duties with which we have been intrusted, which are already sufficiently arduous, and which it would be impossible for us to discharge, unless we felt that we possessed the entire confidence of the parties concerned.

Peter Mere Latham, M. D. called in; and further Examined.

Dr. Latham.

HAVE you any thing to inform the Committee of, respecting a recent occurrence, which is confirmatory of the statement just now given in by *Dr. Roget*?—I have to state to the Committee, that this morning I had an instance which would prove to them that we are beginning to cease to have the control which it is absolutely necessary we should have over the prisoners for the success of our remedies. The Committee are aware, that, of the whole number under medical treatment, more than one half are considered to be well; but that nevertheless it is necessary, as we suppose, to keep them under the influence of medicine for the sake of preventing a relapse. Now I find that a great number of those patients have been in the habit of throwing away their medicines (pills) through the windows, as soon as they are given to them, and that we have great doubts whether any of those patients take the remedies we prescribe.

You are speaking now of convalescent patients in the galleries?—Yes.

Did you see any of the pills this morning that had been picked up?—No, I did not.

George Peter Holford, Esq. a Member of the Committee, made the following Statement :

" IN confirmation of what is stated by Dr. Latham, I beg to state that fifteen pills were shown me this morning, which had been picked up in the yard ; therefore it is probable a much greater number may have been thrown out of the windows."

*G. P. Holford,
Esq.*

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Dr. Latham.—We consider it essential that those people should still have their constitutions for a considerable time under the influence of mercury, and upon no other conditions will we answer that they will not relapse.

Andrew Baird, M.D. called in, and further Examined.

DID you visit the Penitentiary according to the order given you by the committee?—Yes, I did, yesterday morning.

Dr. Baird.

State the result of that visit?—It was stated to me that there were 274 men in the infirmary, and 191 women; in all 465.

By whom was it stated?—By the surgeon, Mr. Pratt.

In the infirmary, or under medical treatment?—Under medical treatment; and I have no doubt, from the number that came before me, that they amounted to so many. The committee were anxious, I believe, to know whether there were any cases of scurvy now in existence; I could not trace any remains of that disease, or any thing that had any affinity to that disease, with the exception of one or two, and in those the shade of the disease was so slight, I would not have recognized as scurvy, had it not been previously understood that that disease had prevailed, and indeed it appeared to be quite subdued; the disease which appeared to prevail most, was diarrhœa and dysentery; many of those patients were under a course of mercury; and I believe most of them, and some very much under the influence of that treatment, as was evinced by the affection of their mouths, in a state of salivation; many appeared to be very slightly affected indeed with the disease, and were either convalescent of whatever disease they had, or labouring under slight symptoms. I was a good deal astonished to see some of them, who were stated to me to have been under the influence of mercury for seven or eight weeks, exhibiting no appearance of their mouths being affected, although taking it to a very considerable degree; not only taking it, as stated, every hour internally, but rubbing it in at night; still there was no appearance of the mouth being affected; and some of those, not a few, exhibiting very much the appearance of health, no wasting of their muscles, and their general health appearing to be good; I could not well reconcile to myself, that patients labouring under such a disease, so as to make their evacuations amount frequently to the number of eight or ten motions in the course of twenty-four hours, that this disease should have gone on for five or six weeks, and the people exhibiting no appearance of impaired health; from which I was induced to infer, that many of those cases had found their way to the infirmary without having any serious disease upon them. I was led to suspect this, knowing that they would have better quarters there, better food, and not have any labour to perform. On making this observation, however, to an honourable member of the committee, he assured me that the prisoners had not any predilection for the infirmary; he had not any reason to suppose that their cases were feigned. I inquired what evidence there was of this frequency of motions, whether they were examined each time or not, conceiving that some of their evacuations might have been preserved in the infirmary, I desired to see some of them; I found the practice was for them to go to the common necessary; therefore, there was none reserved for my inspection. The surgeon informed me, that he had inspected their evacuations, and was satisfied in most cases they had the disease. I, of course, am bound to believe that statement; but I can scarcely know how a man could attend to so many patients, and examine their evacuations. Had their evacuations been made in the common way of hospitals, having a bed-stool in the room, the thing could have been ascertained in a very tangible shape, and the nurses would be able to speak to it; but not having any such evidence, I still remain in doubt as to the generality of the cases being real, inasmuch as the general health not being, as you would naturally expect it to be, impaired, after such a confinement and labouring under such a disease; I must still have my doubts of the reality of many of the cases; and I should suppose that not only does it become necessary to ascertain that the disease does exist by such inquiry, but also, in a medical point of view, it becomes necessary, for a medical man, for his own satisfaction, to enable him to

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prescribe for the patient, in order to see what change is produced by the course he is pursuing.

In all the cases where the patients are ill and in bed, there was a night-pan in the cell?—I did not see that. In order to pursue the treatment of that disease with effect, it is necessary that the evacuations should be occasionally looked at, and the number regularly ascertained every day, reported by the nurses, and recorded in the prescription book.

Do you mean the number of evacuations each prisoner should have each day?—Yes, certainly.

By what means is that possible?—By the nurses; in referring to this disease, it seems to have been a disease that began at the time the season was extremely cold and unfavourable, and which was very unfriendly to the health of human life throughout the kingdom; and it appears to have succeeded what has been stated to be a scorbutic disease; for although I have had no evidence of that disease existing at present, yet the description which has been given of it to me, and by a man who is certainly very competent to judge of the disease, (I mean Doctor Hutchison,) I know no other disease to which it could have any affinity but scurvy, in a slight degree.

Were there any marks remaining upon the skin of any patients that you saw?—There was one man or woman, I do not recollect which, with spots upon the thighs; but this patient had scrophulous affection. The neck was affected with scrophula; and in the then appearance of it, I could not identify it a scorbutic eruption, though it might have been so; so that, upon the whole, I should be induced to conceive the diarrhoea which prevails at present, to be one consequent upon the scorbutic diathesis, excited by the severity of the season; a disease I should look with great confidence to its removal when the summer heat sets in. Yesterday the wind was to the eastward, which is always a noxious wind; and the day preceding that was very cold indeed. The weather has been so variable, that health is scarcely to be preserved amongst the robust. In looking at the present diet of the prisoners, six ounces of meat daily, with a pound and half of bread; I have ascertained the quality of the bread, which appears to be good wheaten bread: six ounces of meat with a pound and a half of wheaten bread, and a breakfast of milk and water with some flour boiled in it, (I tasted some of it); it is stated to be a quarter of a pint of milk with a half pint of water. If I were to offer an opinion upon that subject, I should certainly conceive such a quantity of oatmeal, given in the consistency of gruel for breakfast, would be a very desirable thing in the Penitentiary. I notice that there is a much greater proportion of females than of men sick; and I think the deaths have been greater in number among them. I would observe further, that giving them meat without broth, would appear to me to be an objectionable thing, particularly under present circumstances; solid food must always be considered objectionable to persons labouring under bowel affections; liquid food is what is generally advised, and that which I would myself most assuredly prescribe. Solid food I have ever considered objectionable in bowel complaints generally, either diarrhoea or dysentery. It appears by the memorandum I now hold in my hand, written by the surgeon, Mr. Pratt, that in the month of January, there were two men died; in February, there were three men and three females; in March, seven males and four females; in April, there was one male and five females; in May, four females; in June, up to yesterday, two males and one female; making in all, fifteen males and seventeen females. There seems some little difficulty in accounting for this; and where there is nothing like absolute proof, every thing must rest upon hypothesis. The men lay in hammocks, and the women in bed-places; the hammocks are taken down in the day and rolled up, and I understand taken out, and their beds and bedding shaken and exposed to the air; the females I believe never. Having yesterday seen one of the wards of the infirmary recently washed, and the patients lying upon the floor, some of them with their mouths seriously affected, in a state of salivation, I was inclined to believe that this process of washing might be carried on in the cells of the prisoners, and that the women's beds and bedding not being exposed to the air, remaining there, and exposed to the vapour that arose from washing, might absorb it; that their beds would be more damp than the men's on that account; and I was inclined to draw some little inference from that; I do not mean to say it is so, but I cannot too much dwell upon the benefit that may be always derived from exposing to the air, the beds and bedding of the prisoners as much as possible, provided the wind be not to the eastward, or the atmosphere damp; adhering to what is the fact, that the women's beds had

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not the same advantage of exposure to the air, I may be allowed to attach, and do attach some little disadvantage to that circumstance; it appears also, that during the late very scanty ration which the prisoners had, that the females had still less than the men, and viewing, as I do, that that ration was too small, the females would experience the disadvantage in proportion to the reduced state of the ration; still two ounces of meat boiled in a quart and a pint of water, must impart its nutriment in such a diluted state as to afford very little nourishment, at least as far as animal juice went, to the prisoners.

You are aware that the soup was thickened with barley and pease alternately, and very fully supplied with vegetables?—I am; but still I conceive it was vegetable soup, so that upon the whole I am disposed to believe, that the reduced diet had induced a state of debility, which with the exciting cause of the very cold season, might have produced a disease in the shape of scurvy, as it was ascertained to be in the first instance.

Did you inquire as to the medical treatment of those cases, the diarrhœa and dysentery that you saw?—I did.

Did that medical treatment appear to you to be successful?—I cannot say that it was demonstrated to me, it was a treatment altogether new to me; I had never seen it practised either in this or any other climate to such an extent, that of attacking the disease by mercury through the medium of the constitution, it was quite new to me.

Were cases pointed out to you that had been subjected to this treatment, who had been cured by it and the diarrhœa stopping just in proportion as the constitution was affected by mercury?—It was pointed out to me that that was the case.

Do you not think that one fact, as far as that patient was concerned, sufficient to establish that the treatment was a salutary one?—I should never feel myself bound to believe the report of a patient, at least men in their condition of life under the circumstances they are placed there, unless I have thorough evidence of their disease being what they described it.

Were you not informed of that by the medical authority who attended you round the establishment?—Certainly, Mr. Pratt said he had ascertained it; but I still believe the thing extremely improbable.

Supposing Dr. Roget and Dr. Latham were to state to you, that they had found that practice to have been salutary, and that the disease had been conquered just in the proportion that the remedy had been used, should you consider that testimony as decisive upon the subject, as far as the cases that had been subjected to that treatment, were to be taken into consideration?—I should be extremely unwilling to doubt the report of men so respectable in the profession; but I conceive (for I cannot imagine why a diarrhœa should resist any length if treated in the usual way) a disease may sometimes yield under medical treatment, perhaps without any reference to the remedy applied in the cure, so that if I should discover that cases of this nature, got well under the usual treatment, which I may be allowed to describe, in as few words as possible, by gentle aperients, the occasional use of laxatives, chalk, mixture, anodynes and starch, injections, I would say, if I found slight cases yield under such treatment, I should not feel myself called upon to have recourse to any other.

But supposing that all those treatments you have just mentioned had been tried without success, what would you then do?—When cases have resisted all the usual modes of treatment, I conceive that a medical man is then justified in pursuing any other that promises greater success.

And if the result of that second practice should be more successful than the first, would it not be just reasoning to conclude, that you had changed for the better, and that the practice you had adopted last, was the true one?—Change of season and change of weather will make a most material alteration in the success or failure of a medical man's practice in this disease; we have lately had some very fine weather, so much so, that the governor of the Penitentiary seems to be aware of the influence of the weather upon this disease; that the morning I went in, he said, I am afraid we are not so well, the wind has been cold to the northward; but I may venture to say, in a disease of this kind, that the influence of the atmosphere must be very great, and so much am I of this opinion, that I place great dependence upon this disease exhausting itself as the greater summer heat sets in.

Are you aware that the Committee have received evidence from a physician of the name of Johnson, the other day, who stated, that he had been in all parts of the globe, in tropical climates as well as the northern climates, and our own tem-

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perate ones; and that he had universally found the treatment which had been adopted in the Penitentiary, namely, the application of mercury, and to that extent, the most successful practice that he had ever seen?—I do not doubt he has so stated; in similar cases, diarrhœa, I never have thought of saturating the system with mercury; in chronic dysentery, where every medicine has failed, I have there seen calomel given with a view of affecting the mouth; but I venture to say, that this is not a practice that applies to all stages of diarrhœa and dysentery.

In point of fact, were you informed that it was the practice in the infirmary, to saturate the constitution with mercury in all the cases of diarrhœa that occurred there?—I understood so yesterday, that that is the practice now; it was stated by Mr. Pratt, it was administered in recent cases with the view of affecting the mouth; if mercury be given every hour, it cannot but be with that effect.

Was Dr. Roget with you part of the time?—He was.

Did he state the practice that had been followed?—Dr. Roget did not say much upon the subject; the practice was plain and evident before me, as far as those went that were very much under the influence of it.

Did you ask any questions respecting the practice in the early part of the disease?—I felt delicacy in questioning Doctor Roget as to his practice; the evidence I had before me of men in a state of salivation, clearly showed me that was the prominent dealing in the treatment of the disease.

Might not that have been in the very case you have supposed, in the chronic stage of the disease?—I questioned some patients, who told me they had been taking pills every two hours, which I concluded was the form of the pill which Mr. Pratt had prescribed in the morning.

Were those patients, patients recently admitted for this disease?—I think I saw but few that had been recently admitted, not many days; a great many appeared to have been there eight or ten weeks.

State whether those cases of persons who were taking the pills in the manner you describe, were cases of persons recently admitted, or admitted upon relapses, or who had been long in the infirmary?—Several of them were questioned as to the time they had been there, and a memorandum made by Dr. Granville; many of them had been there eight or ten weeks.

You have stated, that it may be the cause of this disease, that the cells are often washed; did you make any inquiry as to the frequency of washing the cells?—It did not occur to me to make it there, I have only been led to make it now, seeing the washing as I was coming out of the prison.

Was it in the infirmary or the cells?—In the infirmary, I venture to say, having seen the floor recently washed.

Had you any opportunity of making inquiry, as to the frequency with which the cells were washed in the prison?—I had not.

What induces scurvy, generally speaking?—At sea it has been produced by living long upon salt provisions; perhaps the food being in a vitiated state, and not affording the necessary nourishment; it is also a disease of debility, and foul air, and cold and damp; there are several instances to prove this, that bad weather, and cold and foul air, will have a great share in producing it. I could mention numerous instances that led me to that conclusion, and convinced me.

You have stated, it may be possible that the greater degree of sickness that prevailed among the women, may be owing to their beds not being so well aired as the men's: and you have stated, you understood those beds were not brought down into the yard; did you inquire whether any means were taken to air the beds of the women, by hanging them up in the cells?—I was aware that had been done, but I did not know the general practice; I put that as merely matter of opinion. I began by saying it was difficult in a case of this kind, to come to a conclusion; I would rather combine that as a cause with the diminished rations the females had.

You have stated you found patients lying in beds on the floor?—In one infirmary there were no cradles; all the patients were on the floor.

You mean in one room of the infirmary?—Yes.

Did you understand that the room had been washed or wiped with a wet mop or cloth?—I did not inquire into that; I saw the floor was wet, quite wet, and that water had been recently applied to it.

You have stated, that from the character of the prisoners who were there, you would not put much confidence in their statement of their symptoms; the Committee wish to know from you, whether you would put more confidence in their statement of their medicines given to them?—I cannot say I should.

Any

Any information you could have received from the patients themselves, either as to their symptoms or their medicines, must be taken with considerable hesitation?—Certainly; for as I have said before, when I saw the men or women exhibiting every thing like healthy countenances, and whom on examining and feeling the muscles of the calves of the legs and finding them firm, and all this denoting healthy constitution, I must say I could not account for why the patients should have been eight weeks labouring under a disease that produces so much waste of the body and health.

Is mercury usually given in cases of scurvy?—Never; I should think it a most dangerous and pernicious practice, such as I never heard suggested by any practitioner.

Do you think depression of spirits would have any great effect upon the diseases now prevalent, the dysentery and the diarrhœa?—Where depression of spirits does prevail, it must act as a debilitating power upon the constitution, and therefore produces a susceptibility of the existing disease.

And consequently protracts the recovery?—Yes.

What effect do you think the use of tobacco would have in the Penitentiary?—I have always thought it a good thing.

Do you think it would be beneficial or otherwise now, if the men and women were permitted to smoke, those who were inclined so to do?—If it was merely as to fumigating, I conceive it would be a very good thing; but I am not aware it would be beneficial in the treatment of the disease; as far as fumigating the atmosphere went, it would be a very good thing.

Does that opinion go upon the notion of it being contagious or not?—No; it is what would be considered an agreeable odour to those who have been in the habit of using it; I do not consider it offensive though I do not use it.

You only apply it to that part of the prison where they have been in the habit of smoking?—I do not see any objection to it generally.

You saw nothing in the infirmary of bad air, that would induce you to think that the use of tobacco would be advantageous, as smoking?—I am not aware that I did; when there are many patients together, the steam or effluvia arising from men in a state of disease, may create something unpleasant in the state of the atmosphere.

Did you observe, in going round the prison generally, that the atmosphere of the prison was unpleasant?—No, indeed I did not; on the contrary, my observation was, that the prison was extremely clean and exceedingly well ventilated throughout, that was my opinion, and I so expressed it.

Peter Mere Latham, M. D. further Examined.

WHAT means have been taken to ascertain that the disease of which the convicts complained have been real and not imaginary?—We have taken all the means which any medical man can possibly suggest to us; we beg that any test may be mentioned to us, and that we should be asked whether we have or have not put the disease to that particular test.

Have the evacuations been so preserved as to enable you to judge of them?—Constantly.

Was the mercury resorted to to the extent in which it is now used in the first instance, or were other modes of treatment first tried?—All other modes of treatment; all common modes of treatment were resorted to, until we found that the disease very extensively relapsed.

Have you and Dr. Roget frequently, in going through the prison, found the floors or pavements wet?—Certainly not.

When Dr. Baird was there yesterday, and observed one floor wet, is that an exception to what is generally observed in the Penitentiary?—It is a thing I never saw.

If you had seen it should you not have immediately observed upon it?—Strongly disapproved of it, particularly in that room.

Have you any observation to make upon what has been said?—One word only; after the hinting and hesitating and disapproving that has proceeded from our learned brethren, for so many days past, we think it but right that we should state our unanimous conviction upon this matter; and the unanimous conviction of my colleague and myself is this, that if we had not treated this disease upon general principles, and that if in particular we had not pushed that one

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Dr. Latham.

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remedy of mercury to the full extent to which we have pushed it, every one of the individuals who have been affected with dysentery in the Penitentiary, would have inevitably perished; we stated it as the result of our observation, that there are certain dysenteries (and the dysentery of the Penitentiary is one of them) which are as certainly controlled by mercury as that disease is certainly controlled by it, for which mercury is a reputed specific; that the symptoms of this disease will as certainly disappear, or are abated, when the mouth becomes affected, as venereal sores disappear or amend under the same circumstances, and this is what we have witnessed, with a very few exceptions, in the Penitentiary. Further, I would state, this is no new opinion, for I must be allowed to observe, that we know (if some gentlemen who have been examined here do not know) that this remedy has been employed for ten or fifteen years, by the most intelligent medical practitioners in every quarter of the globe, for the cure of this self-same disease; therefore, when it is hinted that this remedy has never before been employed for such a purpose, we can only say, that if indeed it never had been so employed, we necessarily become entitled to the high reputation of great discoverers in physic; to which reputation, however, we resign all claim.

Augustus Granville, M.D. called in; and further Examined.

Dr. Granville.

HAVE you been at the Penitentiary?—I trust the Committee will allow me the indulgence of looking at some notes, for I wish to speak to facts, without which, I should consider my evidence would be worth nothing: I visited the Penitentiary yesterday morning, in virtue of an order, which the committee was good enough to give to me, in company with Dr. Baird, and though I do not profess to have seen all the patients now under medical treatment in the infirmary, or in the cells now used for the purpose of the infirmary, I can say that I have examined very attentively a very large number of them, assisted by the governor and the surgeon; and subsequently in the company of Mr. Holford, and Dr. Roget, one of the attendant physicians, who very readily and kindly furnished me with every verbal information I required of them.

What is the opinion you have been able to form as to the nature of the disorder prevailing there?—With some few exceptions all the prisoners I saw or examined, have been labouring under various modifications of a bowel complaint, for two, and in some few cases, three months, with more or less intensity in the attack, so that in some it appeared as common diarrhoea attended with pain in the belly, &c. and in others, as dysentery with fever, and in some few cases, with the appearance of blood in the evacuation; some were convalescent from the first and only attack they had experienced; some were recovering from a first and a second relapse they had had after recovery; others were ill in bed with fever and some symptoms of active disease then going on; some who were ill and complaining, had had only one or two evacuations a-day, while others had had eight, nine, ten, eleven, and even twelve.

What was the number of the prisoners you found under medical treatment on the day you visited it?—Up to yesterday, I understood, from inquiry, that there were 450, or thereabouts, on the sick list, in the total population of a little more than 850 prisoners; so that nearly one half of them might be said to be under medical attendance; but it is possible that number may have even increased to day, for I found, upon inquiry of Mr. Pratt, out of the number of admissions taken at random for any fifteen days, that the average number admitted daily was about twelve; I do not mean to say it is so now.

Were there any patients at the infirmary that might have been discharged?—I think several of them. The reason given to me why they were not discharged, I thought a very good one; namely, that when some had been discharged, several of them had returned with relapses, and it was thought right, by the medical attendants, to continue them longer under their attention, and under the same medicine, though in reduced doses.

That conduct you approved of?—I thought it judicious, as far as the measure of retaining them under observation went.

Did you direct your attention to the existence of scurvy, as indicated by spongy gums and spots on the legs among the prisoners?—The previous existence of scurvy among the prisoners in the Penitentiary, together with the presence of both spongy gums and spots on the legs in some of them, having been admitted, as I thought, on all hands, both in evidence and documents before the Committee, corroborated by the testimony of a person whom I cannot but consider as the best

best witness examined here, (I mean Sir Gilbert Blane), I thought it was scarcely necessary for me to direct my attention to that point, so much as to the disease now prevailing, and the treatment of it.

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Did you find any gums affected by scurvy?—Generally the prevailing affection of the gums by mercury was so great, that it would have puzzled a person well acquainted even with the scurvy to distinguish the one from the other; there were, however, some cases, but very trifling, in which, out of the few that I examined more particularly, the gums seemed to have been affected by scurvy rather than by mercury.

Is it your opinion that the present complaint is at all connected with the scurvy that existed in the Penitentiary in February last?—If it be admitted, that what I have stated last is correct as to the prevalence of scurvy; and having been informed yesterday that the bowel complaint in some cases accompanied the period of prevalent scurvy, and became more general immediately upon the scurvy decreasing, I should say that the present bowel complaint is probably connected with the former scorbutic diathesis of the prisoners. Indeed, I have reason to think, that that opinion coincides entirely with that entertained by Dr. Roget, if I did not misunderstand his reasoning during his conversation with me yesterday.

What were the causes of the complaint, in your opinion?—In my evidence given before this Committee on a former day, I said, that abstractedly speaking, (as I had not then seen the prisoners in the Penitentiary,) it was impossible, or, at all events, not easy to describe the positive cause of scurvy appearing among a large mass of persons congregated together, except in the cases of sailors on board ship; but since I have examined the Penitentiary, and taken the cases of the prisoners into consideration, I am inclined to think, not that the deficient quantity of food, but the quality of the food in the diet of the prisoners, during a season very remarkable for its great severity, was the cause of the appearance I now describe.

What do you mean by the quality and not the quantity?—I mean, that it was of too liquid a nature; the same quantity of animal matter given in a solid form twice a week, with bread, and warm gruel or porridge every day besides, would, in my opinion, have prevented the appearance of the disease; I speak not from conjecture, but observations made with regard to the prisons to which I have alluded in my former evidence. The prisoners were said, by the last dietary of the committee, to have as little as, and, perhaps under, three ounces of animal matter a day; supposing them to have three ounces, or I will take it as low as two ounces, if that daily proportion be summed up for a week, and the whole quantity had been distributed in a solid form, in two equal portions every Sunday and Thursday, so as to give to each prisoner, twice a week, a good meal of seven or eight ounces of meat, which is more than we eat *daily* ourselves, the scurvy, I think, would not have appeared. Indeed I have stated in my former evidence, that in some of the largest prisons in Paris, and from the evidence of two gentlemen who have visited the prisons in Italy, by far the most crowded of them, and not kept in a state of the highest order, the diet of only two solid meals a week, and bread and water every other day, had been followed by no such appearance as the scurvy.

How do you account for the diarrhœa becoming even more prevalent after the diet you have alluded to was changed, and six ounces of solid meat given daily to each prisoner?—I believe the explanation would occur readily to every medical man. By a too liquid diet, if I am correct in my position, some of the prisoners became affected with the disease I have mentioned, and most of them, if not all, might have become greatly weakened, particularly in their stomachs or digestive powers; in such a condition of their constitution, the sudden transition to a richer and more animalized diet, would produce irritability of the stomach and bowels, and necessarily diarrhœa. That concurs with my opinion, and that of others. Indeed, in cases of simple diarrhœa, even in private practice, where we have found it necessary to diminish the quantity of animal food to effect a cure, it has frequently happened that a relapse has taken place upon returning to animal diet; and to this cause I may attribute the very frequent relapses among the prisoners in the Penitentiary.

Do you suppose the transition at the Penitentiary was immediate, or was it gradual?—I understand upon complaint being made of the diet, it was ordered it should be at first, four, and then six ounces of meat, which I am informed is the case now, with good wholesome wheaten bread; but the stomach does not recover its tone in five or six days.

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Have you inquired respecting the medical treatment adopted in the present instance in the Penitentiary?—I have as far as I could; since April last, no regular register has been kept, although I have understood, that Mr. Pratt keeps a day book, in which the name of the patient attacked with the disease, with the number of pills each is to take, is recorded; but no medical register, showing the day of the attack, the number of evacuations, and the increase or amelioration of the symptoms, has been kept as far as I can understand, although I dare say each medical attendant has made his own private memoranda upon the subject. My information upon the treatment has been limited to a few questions put to Dr. Roget and Mr. Pratt. The treatment, however, seems so little complicated, that I found no difficulty in comprehending it; it consists in impregnating the system with mercury, and producing salivation.

Have you been able to form any opinion respecting the propriety of such treatment?—In answering that question the Committee will permit me to observe, that dissenting as I do, as to the propriety of the treatment, for reasons I will briefly allege, from the two very respectable individuals, the physicians who have thought proper to recommend it, I do, not mean to cast the slightest blame on them. On the contrary, from conversation with Dr. Roget, it appeared to me that having as it were no previous personal experience of the disease occurring in such a large mass at once, (a fact which appears from their own evidence) they very cautiously and I think prudently felt their way; they state that having found the treatment proposed and recommended by the medical superintendent to have failed, they therefore determined upon trying what mercury combined with chalk would do. In pursuing this plan, a female patient accidentally became salivated. From that moment, it is said, that the evacuations decreased in number. This as it were opened their eyes to the propriety of the general treatment; and from that moment directions were given for a certain quantity of mercury, which I will state presently, as I obtained it from the surgeon, to be given so as to produce salivation; and such was the persuasion that nothing but salivation would do, that where the mere taking of the internal mercurial preparation did not succeed in affecting the mouth, mercurial frictions were directed to be employed. The quantity of mercury combined with chalk, which is a preparation very well known to the medical profession, taken by each patient, has been as much as five grains every two hours, which is equal to thirty grains of the preparation in the twelve hours, consequently to ten grains of oxyd of mercury during the same period; the quantity of mercurial ointment employed for the purpose of friction, was not stated.

Who gave you that account?—Mr. Pratt showed it me on the book kept up to April, a sort of day book; and many of the patients stated themselves the number of pills they were taking in the presence of Mr. Pratt, who was ready to contradict them if they were incorrect. Of course the Committee will not expect me to say, whether I am prepared to state what the consequences were of this treatment; I can only repeat, that I found 440 or 450 patients on the list under medical treatment; that in most of them the disease had continued eight, ten or twelve weeks, (I beg that that expression of mine may apply to the number of cases I examined, my attention being directed to those who had been the longest time there, and continued ill, notwithstanding the use of mercury, and the use of mercury was simultaneous with the whole time I have mentioned;) that great complaints of relapses were made by some of the officers of the Penitentiary; that a large number of the patients had their mouths ulcerated or salivated to a high degree; that many of the latter are in bed, better with regard to their bowels, but still in bed and not able to leave it; that none have been discharged since the first of June, according to the statement made to me by Mr. Pratt; that thirty-two appear to have died since January, which gives a mortality of seven in the hundred; and that of fourteen or fifteen that have been examined *post mortem*, according to Doctor Roget's communication with me, the intestines were found in a state of ulceration in the majority of cases.

Do you consider the ulcerated state of their intestines as furnishing an evidence, that the remedy of mercury ought not to have been given?—The practice generally followed in cases of disease of the bowels is such, that any substance irritating, and likely to increase the action of those parts, may be suspected to be the cause of ulceration, if such ulceration be found on dissection; and I consider mercury in large doses, producing salivation, (it is my individual opinion, which I believe is supported by great authorities likewise,) as an irritating substance, particularly in the state in which it is given, the metallic oxyd.

Are

Are you connected with the publication of any medical journal, in which this subject has been treated on?—I have been sole editor of the London Medical Journal for nearly two years up to 1822, when I was obliged to give it up, from my occupations not permitting me to continue it; and I have had occasion to discuss and review books on the subject of diarrhœa and bowel complaints in warm climates, and as it occurred in large armies, that have come before the public, as well as systematic works upon diseases of that nature.

Has Doctor Johnson, who gave evidence here the other day upon this subject, himself conducted any review, or written upon the disease and its remedies?—He has not only conducted such a journal, but conducts it at this moment; and he has also written upon the diseases of the parts in question, as well as upon the diseases of tropical climates, in which that subject forms a very material point of consideration.

Have you any opinion of his upon that subject?—It is not easy to give a precise answer to that question, for I, like many other persons who have read successively, not only his professed works upon the subject, but his opinions as a reviewer also, thought that they appeared to vary so frequently and so much, that the Committee will see how difficult it would be for me to state precisely that I understand his sentiments upon the subject; and I was not present at his examination, therefore had not the benefit of it to shape my answer.

Then, if you were told that Doctor Johnson had strongly approved of the practice as adopted in the Penitentiary, would you have considered that opinion as conformable to the opinions given in works of which he was the avowed editor, though not conformable to the reviews of which he might be the writer?—Certainly conformable to what he has himself recommended, and with the practice, indeed, of which he considers himself to be nearly the discoverer. In one of the editions of his work on derangement of the liver, he expressed an opinion, which opinion, however, he altered in a subsequent edition, having recommended twenty grains of calomel in diseases of the bowels and dysentery, two and even three times a day in the one edition, and only one grain six times a day in the other; there being the difference of a year or two between the two editions. Indeed the practice has been since known under the name of the scruple-dose-practice of India.

Is the Committee then to understand, that you object to the use of mercury in this disease?—I wish the Committee to understand that I certainly do; and I will assign a very few reasons, for without them, I consider any personal opinion of a man of no weight like myself, might as well not be uttered before this Committee. I object to the use of mercury in the doses alluded to, and with a view to produce salivation, in the disease under consideration, (for I wish to be understood as not condemning the occasional, but the indiscriminate use of it as a systematic plan pushed to salivation;) because there are none of our great medical authorities to which we are in the habit of looking up for a guide, that mention the propriety of using it; nay, some of them deprecate it as very pernicious. I also object to it, because the very respectable writer to whom allusion has just now been made, has himself recommended strongly a systematic work lately published upon the subject of irritative diseases of the bowels, &c. in which every thing likely to irritate, or produce the action that mercury produces, is condemned; and in which mercury is scarcely mentioned. I do object to mercury, particularly when pushed to salivation, because I find it very difficult to comprehend, how any disease in which, when it proceeds to its worst period, even under the boasted treatment of mercury (as it appeared in the dissection of some who died in the Penitentiary) the lining membrane of the bowels has been found ulcerated, is to be cured by *producing* ulceration of another part of the same membrane. I object to mercury also, because in some documents, to which I can refer the Committee, of the recent practice of physicians and surgeons of this country, the great fatality that has taken place, wherever dysentery has prevailed, and has been treated with mercury, is ascribed by the practitioners themselves to the use of mercury. I am now alluding more particularly to this disease as it prevailed in St. Helena upon a very late and memorable occasion, when the surgeon treated 230 cases of dysentery with mercury, and lost 26 on board ship, and as many in the hospital on shore; and where the surgeon ascribed that fatality to the use of mercury, which he was induced to adopt in consequence of the recommendation of that practice by one or two writers upon the treatment of the diseases of tropical climates; and if the

Dr. Granville.

Committee will allow me, I will lay the document upon the table; it is in a medical work.

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[The same was handed in.]

OBSERVATIONS on the Climate and Disease of ST. HELENA.

WE have much pleasure in laying before our readers, an abstract from an official document, showing the diseases which prevail on the St. Helena station, together with the remarks of the surgeon to Lemon Valley Hospital, and to the admiral at St. Helena. All we have to add to the interesting detail below is, that the reader must keep in mind the peculiar duty attached to the service on that station; we mean the exposure the seamen are subject to in rowing guard round the island, in order to keep secure their distinguished prisoner.

General Return of the Sick of the flag-ship of the Admiral commanding at St. Helena; from the 4th February 1819, to the 30th October 1820.

DISEASES.	Put on the Sick List.	Discharged the Sick List.	Sent to the Mountains.	Sent to L. V. Hospital.	Died.	Invalided.
Fevers - - - -	23	16	2	3	- - -	2
Dysenteries - - - -	206	122	33	4	25	8
Ulcers - - - -	22	13	1	8	—	—
Wounds and hurts - - -	107	102	- - -	2	- - -	1
Pulmonary inflam. - - -	11	11	—	—	—	—
Liver complaints - - -	96	68	17	4	- - -	3
Cholera - - - -	30	29	1	—	—	—
Catarrhs - - - -	200	196	3	1	—	—
Local inflammation - - -	86	81	- - -	5	—	—
Entecitis - - - -	3	1	- - -	1	1	—
Tetanus - - - -	1	- - -	- - -	- - -	1	—
Rheumatism - - - -	11	8	1	- - -	- - -	2
Hæmoptisis - - - -	3	1	- - -	- - -	1	1
Insanity - - - -	1	- - -	- - -	1	—	—
Miscellaneous complaints -	61	53	1	1	1	3
TOTAL - - -	861	701	58	36	29	20

REMARKS:

From February to July 1819, the station was very healthy, the few complaining were affected with symptoms arising from a diseased secretion of the biliary system, affecting the liver and bowels; in April 1819, the number of the list was so low as four; in July, dysentery, the scourge of the seamen on this station, made its appearance in a very aggravated form; in the worst cases, it appeared to run its course unaffected by any mode of treatment. A variety of remedies were used without affording the hope of bringing this unmanageable disease under medicinal control; blood-letting, now so generally employed in the diseases of warm climates, could not fail to suggest itself, and has been much recommended by some; most plentiful evacuation has been advised and put in practice, and they appear to have considered the disease as analogous to entecitis, to be cured only by copious venesection, but I think my experience has taught me to view it in a different light. In the commencement, when any symptoms of fever are present, it appears to me useful to have recourse to one free blood-letting; which symptoms continuing, the lancet may be again used the same or following day.

In very advanced periods of the disease, when severe pain in the abdomen has supervened, much increased on pressure, I have been in the habit of directing the use of venesection to a small extent, with evident advantage. It appears that inflammation often takes place in the progress of the complaint, but in my opinion it is rather symptomatic than idiopathic, caused by the straining or by the irritation of the acrid contents of the intestines. In such cases, I have often seen great relief afforded by the subtraction of a few ounces of blood; but in cases where the above symptoms do not exist, it is my opinion that the loss of blood is hurtful. Calomel has been highly extolled in this disease, but I cannot confirm the encomiums it has received; as a purgative it, I do not doubt, is useful, but its continued use does not appear to warrant the praises bestowed upon it by many. In some anomalous cases I have found it have good effects, but I am sorry that experience does not enable me to confirm the observation, that when a patient's mouth is affected by it to salivation, that he is safe. In many cases this effect cannot be produced, but even when it is obtained, an amelioration of the symptoms by no means necessarily follows. In some of the cases that proved fatal, the salivary glands were freely affected; and in others the disease has recurred before the salivation has ceased. Ptyalism has repeatedly been induced a second, and even a third time, but the good effects were often temporary only, and the patients have eventually died. It has appeared to me, that the common effects of the system being affected

by

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by mercury, are an increase of the frequency of the stools, which become more copious, and are passed without straining; the patient is free from pain, the skin being covered with a copious and often viscid perspiration, the countenance sinks, debility increases, and death follows when these symptoms cannot be checked. Purgatives, combinations of rhubarb, pulverized ipecacuanha, and opium and antimonial medicines, are often useful; but medicines require to be changed in the course of this disease, and have different effects in different cases. Wherever there are any symptoms of diseased liver, mercury was always had recourse to, either by friction, or given internally, or both methods were adopted. Blisters, fomentations and pediluviums are often useful. Tenesmus was in many cases by no means troublesome. The most frequent seats of pain are the hypochondria, umbilical region, and over the site of the caput cæcum coli, which part of the intestine, upon dissection, is often found diseased; indeed the internal coat generally of the great intestines, was frequently found one common ulcer; the ligamentous bands of the colon were often contracted and much thickened; appearance of much turgescence in the blood vessels of the mesentery, in general, pointed out that great congestion had taken place. The omentum was often much diseased, its adipose matter gone, and its substance shrivelled up, and the blood vessels much enlarged. The liver was sometimes one large abscess, but in other cases it has been found sound. When patients are convalescent, the greatest advantage is derived from sending them to the country; High Peak, to which they were sent, is, as its name denotes, an elevated situation, which makes the change of climate considerable. Hepatitis is a very common disease on the station, but in general in its acute state is very much under medical control. Large and repeated blood-lettings are necessary, together with mercurial friction and purgatives. A change of climate, which the country here affords, is useful in restoring the strength of the patient, as well as in preventing any permanent disease of the liver. What cases of fever have come under my care, have been treated by blood-letting, and occasional purgatives, and in general with success. Convalescence is often slow, and complaints of the digestive organs are apt to supervene, and carry off the patient. Catarrhs, at certain seasons, are almost universal, and often very severe, requiring active treatment.

The following is an abstract of the Journal kept at Lemon Valley Hospital. The number of cases of dysentery which terminated fatally is in some measure to be accounted for, from the worst cases in general being sent for hospital treatment, and many of them did not arrive at the hospital from their ships, until all hopes of recovery were gone.

DISEASES.	Number Admitted into the Hospital.	Discharged to Ship cured.	Died.	Invalided.	Left at L. V. Hospital.
Continued Fever - - - -	10	9	1	-	-
Pneumonia - - - - -	4	3	1	-	-
Hepatitis - - - - -	29	15	3	8	3
Dysentery - - - - -	57	29	26	2	-
Ulcers - - - - -	9	9	-	-	-
Wounds and Accidents - - - -	6	4	1	1	-
Rheumatism - - - - -	3	3	-	-	-
Scurvy - - - - -	7	7	-	-	-
Phthisis - - - - -	3	-	1	1	1
Other complaints - - - - -	16	10	-	5	1
TOTAL - - - -	144	86	33	17	5

Do you know whether this document may be considered an official one?—I have no reason to believe otherwise.

It is contained in what journal?—The Medical Record, which is no longer in existence at this moment, and confirmed by the observation upon this subject, of one of the gentlemen just returned from St. Helena, of the name of Evans, who states that the dysentery was certainly scorbutic dysentery, making it more applicable to the case under consideration.

When the committee went round on June 9th, there were 170 patients in bed; do you know whether that number was either greater or smaller when you were there?—I confess I did not direct my attention to that point, having made so many inquiries, and tired the patience out, as I thought, of the gentlemen who accompanied us, I did not think of inquiring as to the total number of those in bed; I believe we only went into three or four wards, which we were told were not the only ones that had patients in bed.

Do you not consider that number very considerable, out of the number of patients?—I certainly consider it a large number.

Do you happen to know that the practice of rubbing in the mercury has been adopted, particularly from finding that the patients did not take the pills in many instances.

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instances which were given them?—I do not know the fact of my own knowledge; I can easily understand it may be so; but at the same time I must state in explanation, that in one or two cases in which frictions were used, upon my asking the reason for it, I was informed that the mouth did not appear to be affected by the use of internal remedies.

May not the circumstance have arisen from the patients having contrived to secrete the pills, instead of taking them?—Decidedly; the absence of the affection of the mouth might have occurred from that circumstance, but I thought when pills were directed to be taken every two hours, it was the practice, as in hospitals where epidemic diseases prevail, and such suspicion is entertained as the question implies, that the assistant surgeon, or some other person, should go round and see that they took their medicines.

But when you consider that there are 460 patients, of whom a considerable number are taking pills at certain times in the course of the day, is it possible that any medical superintendent that could be provided could undertake to see such a number of patients take their pills, so as to say that they were taken?—Certainly not the medical attendant, but some other person that might be depended upon: I have attended hospitals where six, seven, or twelve hundred persons were in bed, each taking their medicine morning and evening, and receiving it from the hand of one or more persons, on whom reliance could be placed; it is as easy to distribute medicine regularly as it is to give food at particular times of the day.

Is it not possible to pretend to swallow a pill by keeping it in the mouth?—There is no discussing possibilities.

Might not a prisoner in that mode elude the vigilance of the officer?—Suppose that to be my impression, it would only make me the more vigilant in providing something to prevent them from so doing.

Do you know, that those spots discovered in the intestines after the death of the prisoners, were found in the bodies of those who had not taken mercury as well as in those who had taken it?—From the information I have been able to collect, the impression on my mind is, that many had taken mercury, but I am not positive, not having obtained the information when I asked for it; not from any unwillingness on the part of Dr. Røget, to give it, but on account of the distance of time, he said, he could not mention which of those, where the appearances had been observed, had taken mercury, or had not taken it.

Do you happen to know, whether several bodies were opened who had been affected with the disease before the use of mercury?—That question throws great light upon some I have just answered, and which I found it rather difficult to understand. I do not mean to be understood, that the use of mercury has produced the ulceration of the intestines, where such ulcerations have been observed after death; but that, where a disease of this kind, from its fatal progress, appears on dissection to have been attended by ulceration, mercury may be presumed to have been an improper medicine; the existence of ulceration would render mercury more improper; by ulcerations, I do not mean mere spots, I mean erosions in the intestines, part of the lining of the intestines being corroded; they are different from the spots seen upon the dissection of persons who die of scurvy without any ulceration at all.

Do the Committee understand you to be of opinion, that the medical treatment was such as you yourself would not have adopted?—After the very distinct opinion I have stated in my former answers, I can only say, “Decidedly so.”

To Dr. Baird.—You have heard the evidence given by Dr. Granville; do you agree in opinion with him?—Yes, decidedly.

To Dr. Granville.—Have you any objection to state to the Committee what treatment you would adopt, if you were called upon to attend an hospital in which there was a great number of patients afflicted with a similar disease?—I have no difficulty in answering; the less, indeed, as I have been placed in such a situation in the West Indies and elsewhere, as to treat a large number of bowel complaints. I should premise, with regard to the particular remedy just mentioned, that I might or might not be tempted to give one or two doses of calomel in the outset, to clear the intestinal canal, supposing it to be in an improper condition; after which I should give farinaceous food, acidulated mixtures, and beverage; I should give oleaginous and gentle laxatives; I should keep the patients quiet; I should give opium, rhubarb, ipecacuanha, according to circumstances; if there was much pain, I would throw up injections, with starch and laudanum; and I would also wrap

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wrap the belly of the patients up in flannel, a measure which has been found to be very beneficial, particularly when the disease has been supposed to arise from change of temperature and cold; I would give the chalk mixture, where I was not afraid of producing obstruction; subdue fever, if there was any; and ultimately, when mere debility without irritation existed, give light tonics and wine, if I had the means of doing so, and a generous diet.

Are you aware whether any of those methods have been adopted in the Penitentiary?—I have asked Dr. Roget whether any other plan of treatment had been followed, in the first instance; he candidly and readily stated, that they tried the chalk mixture and lemon juice, and compound ipecacuanha powder and opium; but that they had found those particular remedies to fail. No mention was made of any other of those auxiliaries or remedies, which I have recited, as what I should do with a similar number of patients under my own care and management.

Do you think those additional remedies and auxiliaries you have particularized would have added to the force of those which had been already tried, previous to the employment of mercury, so as likely to produce a more favourable result than in fact took place upon the trial of only part?—It strikes me, from experience, that the result would have been favourable, and at all events, I cannot see, indeed I was not given any reason, why the usual mode of treating simple diarrhœa, or even simple scorbutic dysentery, as it has been stated and admitted to be, and I agree with that opinion, why I say the usual treatment, which is not peculiarly my own, but that of every practitioner, had not *been given* a fair trial to. In my former evidence, I have been like every other person who has seen scurvy, very loud in the praise of lemon juice; I have since had an opportunity of reading the evidence given of Dr. Latham, not as it were to contradict, for that can never be the intention of one medical man towards another, but in observation to my own, which evidence of Dr. Latham goes to prove, that lemon juice is not so good in scorbutic complaints, or at all events not always, as it has been represented to the Committee to be; I therefore directed my attention to that particular part of the inquiry, and I must beg to state, that the objections urged against the lemon juice by that most worthy physician, who followed me on the day I gave my evidence, were these, that it griped, whether combined or uncombined, with opium; objections which led him and Dr. Roget to omit the use of it before the disease was quite subdued. It strikes me, that the griping may be explained by this simple circumstance, that if chalk mixture, or a preparation of mercury with chalk, were given either simultaneously or so near to it as to completely destroy the effect of the lemon juice, they would produce the peculiar insoluble compound in the stomach and bowels, which they are known to form whenever they come in contact, and cause irritation of the bowels; and it strikes me, that if lemon juice had been persisted in alone, with the change of diet and exercise and more warmth, at the time that there was no doubt as to the nature of the disease being scurvy, that probably there would not have been at this moment so large a number of persons labouring under sickness. In one case to which my attention was particularly directed by Dr. Roget, I mention that case more particularly, because I am anxious to impress the Committee with this fact, that Dr. Roget was most willing and ready, and I do not doubt that Dr. Latham would have been equally so if he had been there, in giving me all the information I was desirous of. In the case of one patient, Dr. Roget admitted that there were spongy gums from scurvy, and spots on the legs (I can refer to the name of the man if necessary) that the lemon juice was administered to him, the spongy gums recovered, and there was diarrhœa; whether mercury or chalk mixture was given, does not appear, but the lemon juice began to gripe, upon which it was omitted; now, in that case, and I merely mention it because Dr. Roget and I discussed it as a specimen, as it were, of what might be said in many other cases, in that case I conceive I should have been warranted in continuing the lemon juice, notwithstanding the griping effects produced by it, always omitting the chalk mixture, or any thing like it: I would have combined opium with it, to prevent the griping, and I should have been sadly disappointed, if I had not obtained a result better than has been obtained: he is now under salivation, and has been several weeks in bed, unable to move out of bed, though it must be at the same time mentioned that he labours under a scrophulous complaint at the same time.

Be so good as to state the name of that patient?—I cannot immediately call to recollection the name.

Was it the worst man in the infirmary?—No, by no means; with the exception of the scrophulous tumour I should not say he was very ill.

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Did you see many cases which you thought dangerous in the Penitentiary?—I saw out of the limited number I examined, for I did not examine the whole 450, some who had the disease in a very active state, not in any thing like imminent danger, but that some of them might not improbably run to that stage in which the disease becomes very dangerous indeed; there was fever and great pain and pressure, and symptoms of active disease, which are very well known in those cases; among those I have seen, there are none I should expect would die, considering the state in which they were at that time. I should wish, before I conclude my evidence, to be allowed to bear testimony again to the readiness with which I was put in possession of all the information I wished, and the very high state of order and cleanliness and comfort of the Penitentiary; and I am the more anxious to state my testimony upon this subject, because, as I have observed to the Committee on a former occasion, I have examined some of the largest prisons in a very large metropolis, and this is by far the best conducted, and so far superior, that there can be scarcely any comparison between them.

You and Doctor Baird went round together?—Yes; occasionally I remained with patients while he was with others. It has been very properly suggested by Doctor Baird, that it would be proper to appear in the evidence I have this day given, that I was wholly unbiassed by any communication, arrangement or agreement with regard to what I had to state with Doctor Baird; we went round together yesterday, and having made our observations we separated, with the determination of forming our individual opinions and nothing more.

Look at these documents [*handing two letters to the witness*] and state what parts are in your hand-writing?—The lower part, from “The above statement,” to the signature of my own name.

That is to be considered as an attestation to the truth and fidelity of the statement therein contained?—Yes; this [*one of the papers handed to him*] is also in my own hand-writing, and with the distinction, which from a wrong impression going abroad, I found it necessary to make as to one word, or rather an expression; it stands as a true statement of that interview, as far as my recollection goes.

Read it?—“Dr. Granville then informed Dr. Hutchison that he was instructed by Mr. B. Wilbraham and Mr. Courtenay, to assure Dr. Hutchison, that the committee never believed the charge of ebriety made against him, to have any foundation; that they hoped for the good of the institution he would not press the public inquiry into the reports against him; that they would satisfy Mr. Hutchison as to the individuals from whom those reports emanated, who were all present on the particular night specified; and that they would depend on him for not taking any public notice of their communication, or not so resenting it as to interfere with the duties of the officers in the prison; that they then named to Dr. Granville, the chaplain, the surgeon, the matron, and a nurse of the name of Cowsey.”

This is in your own hand-writing?—Yes.

Are those words beginning with “This measure of the committee” your writing?—No, they are not; this statement was given to me, not as what had passed colloquially between the deputation and myself, but what I thought was my impression at the time, revived at the distance of twelvemonths, but subject to any explanation which any future discussion upon the subject might lead me to make.

Did Dr. Hutchison express his regret that the committee had not selected two instead of one of his friends to confer with?—He did.

Did Dr. Hutchison distinctly charge you to acquaint the members of the committee he conferred with, nothing short of giving up to him the names of those who had been examined, and had made the charge against him, would induce him to forego the public investigation he claimed, and still wished to urge?—He did.

Do you remember the conversation that took place between you and Mr. Courtenay and Mr. Wilbraham, on Sunday the 16th of June, the substance of it?—I think I can charge my memory with the whole substance of that conversation, though I cannot really answer to the words used either by myself or the two gentlemen mentioned.

Do you remember that when the two members of the committee began the conversation, they stated at once openly and without waiting for any such demand, the names of all the persons from whom they had had information?—Yes.

In the first and not corrected statement, you mention that Mr. Courtenay and Mr. Wilbraham desired you to assure Dr. Hutchison that the committee never believed the charge of ebriety made against him to have any foundation, you mean only the charge of general ebriety?—I do.

Not

Not referable to any particular day or time?—Not referable to that particular time; on that occasion the particular time was not under discussion, it was the general charge; and therefore I considered it could only apply to the general charge.

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Be good enough to state, whether any thing that passed in that conversation induced you to believe, that the charge, as far as it related to any thing respecting what was supposed to occur at the time of the death of Mary Turner, had been discovered by the two gentlemen to be false, or was meant to be retracted?—I have no hesitation in saying, that there were no words used by the two members, conveying an idea that they thought the charge to be false, or that it was meant to be retracted.

Did they not specifically and distinctly mention, that after the evidence they had from their own officers, they believed the charge to be true with respect to that particular evening?—I have really been so unfortunate in drawing up my documents which are now to be discussed, as to the charge of particular ebriety and of general conduct, I should wish it to appear distinctly that I gave the answer as to general ebriety, and now it ought to appear distinctly that I am asked whether my impression was at the time that the committee believed the charge, as far as related to Mary Turner; I will try to recollect my precise impression at the time, and it strikes me that the feeling of the two members of the committee which throughout the investigation were most friendly, was that they would give me to understand that they were unwilling to believe the charge respecting the case of Mary Turner to be well founded, and in the absence of all memoranda and documents, which I regret not to have taken at the time, I am authorized to suppose, that such my impression was correct from having referred to those particular words being used by one of the members of the deputation, in a letter to Dr. Hutchison, dated a few days before the interview; beyond that I really cannot charge my memory.

You used the word “friendly” just now; to whom did you mean to apply that “friendly”; to whom?—To myself decidedly, but Dr. Hutchison also.

Unwilling as they were to believe that report, did they not nevertheless state to you, that from the concurrent testimony of persons who could have no interest in promulgating such a report, they were afraid it was true, and that in point of fact, they could not help believing it?—If the conversation had been carried on in that precise question and answer manner in which the examination goes on now, I should probably recollect the result of it; but it appeared to me to be so much more a general conversation of persons who were met with a view of obtaining out of that interview, a result favourable to the object of the interview, that upon my honour I really cannot say whether that was their abstract opinion or not; the result, however, was such as to induce me to urge Dr. Hutchison not to go any further in the matter; not because I was afraid that his honour could not come out clear of any such charge, but because, on my honour, I did not think his honour was affected, else I should not have urged him to adopt the course which he did. There were facts mentioned to me, with regard to the very case of Mary Turner, with regard to which I was unacquainted, which would have required so much explanation, and explanation is not always satisfactory, even upon the most distinct point, that that was one of the motives which particularly induced me to agree with the committee, that the best way would be not to push the matter further, or urge inquiry.

When it was urged to you, that for the good of the institution, it was desirable that the inquiry should not be pressed, was it not constantly stated to be for the good of Dr. Hutchison as much as of the institution?—Decidedly.

Was not it stated, that the good of the institution could only be affected in this manner, that it was impossible after this charge had been brought openly, for the surgeon, the chaplain, and the matron, and Mr. Hutchison, to act together with any degree of comfort, or benefit to the establishment?—Certainly, I agree in that conclusion, as every friend of Mr. Hutchison must.

Was not the circumstance mentioned to you, about that young woman at the point of death, having a bath ordered for her, and a blister put upon her, and a strong draught given to her?—It was.

Did you not state, not with reference to Dr. Hutchison, but as an abstract principle, that if such a thing had been recommended to a patient, avowedly dying of a consumption in the opinion of the medical superintendent, whoever he might be, that that strongly confirmed the suspicion mentioned by the committee as existing in their minds?—The Committee may believe me, that it is a painful situation I am

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placed in, from my regard for both parties as it were, and in that situation I thought I was at the time; with mixed impressions as it were, it was impossible I could at the end of twelvemonths, recollect the precise words I may have used; but I perfectly recollect saying, that the two additional facts to those which I understood had attended the case of Mary Turner, namely, the blister and bath, came upon me for the first time, and considering the state in which she was declared to be at the time, startled me, and I stated, I should consider it a bad practice, abstractedly speaking; and positively I believe I am correct in stating, I declined giving any answer with reference to Mr. Hutchison; for I stated, it is possible that every one of those asserted facts may be disproved or denied by Mr. Hutchison; and therefore my answer cannot in any way apply to him.

Do you not recollect telling Mr. Wilbraham, on the day after that, at the time you gave him Mr. Hutchison's letter, that you had mentioned something on the subject of the bath; and Mr. Hutchison said, he did not recollect anything about it?—He did; and he gave me reasons for it, which, with a medical man, must have some weight; that, seeing so many patients, not only at the Penitentiary, but at two very extensive charities to which he belongs, as a colleague of mine, and in an extensive private practice, it was impossible for him, at the moment when his feelings were excited on receiving a letter of that kind, to recollect every order, prescription or instruction given in the treatment of each particular case, but he recollected the blister.

And the draught?—Yes.

In consequence of what passed that afternoon, you went to Mr. Hutchison, and procured from him a letter, which was sent to the committee?—The fact is; that, with the permission of the members of the committee, I called upon Sir Gilbert Blane, a firm and very old friend of Mr. Hutchison's, and mentioned to him, in the narrative style, without using the precise words, the impression I had then received, and have now endeavoured to communicate to the Committee, and though it was at a very late hour of the night, that gentleman most readily went with me to Mr. Hutchison, and endeavoured to impress upon his mind, the true state of the question, as we thought it then stood; and recommended him to follow the steps, and write the letter to which the question alludes. Upon that question it is proper I should state, that when we recommended the step which led to that letter, and which was to forego inquiry, Mr. Hutchison did not readily, certainly not willingly, accede to us; and the letter, as well as the adoption of our suggestion, did not take place, to the best of my recollection, till the following day.

Did not the members of the committee state also, as a reason for dissuading Doctor Hutchison from the inquiry, that as the persons who gave the information, stated, that what they said was their opinion, they would probably continue in that opinion, that no good could arise from confronting Doctor Hutchison with persons under those circumstances?—I do not pretend to say, they may not have represented that to me; but I have tried to recollect it, and at this moment I cannot.

You have stated in the second statement, that Dr. Hutchison, at all times since the interview, denied in the most solemn manner the truth of the allegation respecting the bath, which he declares to have ordered for another patient; did he state to you for what patient, or under what circumstances, it was ordered?—He certainly invariably declared to me, up to the latest period of the interview, that the bath was not ordered for Mary Turner, but for another patient in the same ward; and I believe rheumatism was mentioned as the cause.

Was any thing said about chronic diarrhœa?—Chronic rheumatism, I think it was.

Was not that said at the time at which the report was made by you to Dr. Hutchison, that such had been the accusation preferred against him by the members of the committee; namely, that he had ordered a bath for this girl dying of a consumption?—I cannot tax my memory with saying it was immediately upon my communicating the fact, because the conversation immediately turned upon the impossibility of recollecting every prescription that a medical man, in extensive practice, public and private, had given; but it was very soon after.

So near after, as to form one and the same transaction, and not to be considered as after-thought?—That is a question, as to the time, I really am not prepared to answer; it strikes me it was very near it; we had several interviews; I was anxious the thing should take the turn I thought it had taken, for the interest of all parties; I went several times, and it must have been at one of those interviews.

Do

Do you not remember that, when you brought the letter to Mr. Wilbraham, at that short interval when you were asked what was said about the bath, that you said Dr. Hutchison said he recollected nothing about it?—Yes, for the reasons he assigned, that he did not recollect prescribing the bath for that particular patient.

Were not the words, “that he did not recollect any thing of the circumstance”?—I certainly stated to Mr. Wilbraham, that Dr. Hutchison said he recollected nothing of the circumstance; by which circumstance was intended to imply the case of Mary Turner.

Did he, at the same interview at which you first mentioned to him the bath, state that he had ordered the bath, but for another patient?—I cannot say the same interview, but very soon after.

You will not say, whether it was at that interview or the next interview; but it was soon after the communication?—It is not that I will not say; but I cannot recollect the precise time.

You will not say it was not?—No.

Do you not recollect, that on that particular evening, in the presence of Sir Gilbert Blane, when you mentioned the bath, that Dr. Hutchison was thunderstruck, and said that the bath was ordered for a woman labouring under chronic rheumatism, or chronic diarrhœa, but which he could not then recollect?—My answer to that question must be precisely of the same nature, that I cannot recollect whether it was stated on that evening or before, but as it has been mentioned that Sir Gilbert Blane was present, my want of memory may be assisted by the better one of that gentleman.

Had not nearly three weeks elapsed between the time at which the circumstance happened and the day upon which the communication was made by you to Dr. Hutchison?—That is a question which, by reference to the documents, will be answered, but I do not know the time.

Sir Gilbert Blane, Bart. further Examined.

WERE you present at the interview you have heard Dr. Granville give an account of?—Yes.

Did you hear what passed about the bath on that occasion?—Yes.

State to the Committee what passed about the bath on that occasion?—Dr. Hutchison admitted the truth of the draught and of the blister, but when the bath was mentioned he denied it with the loudest asseverations and the strongest astonishment I ever saw depicted in the voice or countenance of any man, inasmuch as if a thousand people were to swear it I could not believe it; he said, he had an idea of ordering a bath; that he was in the habit of finding fault at the Penitentiary for their not being hot water ready at different times; that very probably he did order a bath, “but for Mary Turner, I did not and could not;” he complained most loudly that any thing of the kind had been listened to by any body.

Did he say he had ordered a bath for a patient labouring under chronic rheumatism or chronic diarrhœa?—He put it hypothetically; Dr. Hutchison had a vast deal upon his mind from private and domestic affliction at that time, and he put it hypothetically, “If I did order a bath, it must have been for one of two people whom I have lately ordered baths for, and I have found fault for there not being warm water ready; but as to Mary Turner, I swear before God, I never ordered it for her.”

That was the answer that Dr. Hutchison made, when the communication was made to him, for the first time in your presence by Dr. Granville?—It was; and upon that he renewed his obstinacy of acceding to the negotiation.

Is it your opinion, that Doctor Hutchison recollected ordering the bath for any body, or not?—I take it from his own words; he put it hypothetically, “If I ordered the bath, it must have been for one of those persons.”

You doubt his recollection, whether he ordered it or not?—I cannot state.

George P. Holford, Esq. a Member of the Committee; further Examined.

HAVE you any further information to give the Committee, upon the subject of notifying the deaths of prisoners to their friends?—I am told by the present governor, he has uniformly, when a prisoner is committed, desired to have the address of a friend, to whom he would wish his illness or death to be communicated; and in all cases of that kind, application is made to the friends, and they are permitted to visit very freely; one of those cases I happen to have found, on looking

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*Sir G. Blane,
Bart.*

*George P. Holford,
Esq.*

George P. Holford,
Esq.

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over the minutes of the committee, the case of the very first person that died in the prison; and it affords an instance of the degree of proper respect paid to the feelings of the friends, exhibited by the committee, which I will hand in.

[*The same was read, as follows:*]

“ At a meeting of the Committee, 29th March 1817:—The visitor reported, that in consequence of the serious illness of Ann Stubbs, which was expected to terminate in her speedy dissolution, he had permitted her sister, to attend her; and this young woman having no means of subsisting herself, he had given directions that she should be subsisted at the expense of the establishment, leaving it to the determination of the committee, whether such indulgence should be continued.”

“ Resolved,—That the allowance be continued at the discretion of the visitor for the time being.”

What paper have you in your hand?—The paper I hold in my hand is the examination of the witnesses before the committee, on the 3d of February 1817, respecting the alleged misconduct of the then matron, Mrs. Chambers; and, as I stand rather in a peculiar situation now, in the present stage of this inquiry, I hope the Committee will not think it improper that I should make a few observations upon this subject. The inquiry for which this Committee is instituted, is into the state of the Penitentiary, which of course may be reasonably supposed to embrace the conduct of those who have managed it, from its earliest commencement up to the present moment; accordingly some observations on the nature of charges have been stated against me particularly, namely, that I had encouraged tales, and that I had interfered, in an inconvenient manner, in the details of the management of the prison; this has been stated to the Committee by Mr. Morton Pitt, by Mr. Shearman, and by Mr. Thoms; in justice to my honourable friend, Mr. Morton Pitt, I beg to disconnect him from the other two persons; I understand they were not summoned here at his request, and by what accident it happened that they were here to corroborate his testimony on the particular day on which he was examined, I do not think it necessary to inquire. I mean, however, and I trust the Committee will think I am right in so doing, to show that Mr. Morton Pitt is mistaken in regard to the grounds and reasons of Mrs. Chambers's dismissal; I mean also to show, that Mr. Shearman's complaints of my having interfered too much in the prison, were preceded by many complaints on my part to the committee, of his having interfered too little, and his knowing nothing, or very little, of what passed within the walls of the prison; I also mean to show that Mr. Thoms's evidence is totally unworthy of credit; I undertake to make out these propositions to the Committee; and if I fail in doing so, I am content they shall report to the House of Commons that the Penitentiary has been mismanaged, and that I am the person who has mismanaged it. My honourable friend, Mr. Morton Pitt, has stated that he thought that I not only listened too readily to complaints, but invited complaints; I am not sure that I did not invite complaints; I certainly have been in the habit of telling prisoners, on their first entrance into the prison, that if they conceived they sustained any wrong, or if they thought they had not their rights, they might request to see the governor or the visitor, or they might speak to any member of the committee going round the prison; at the same time I have cautioned them, that if they sent for the governor or the matron upon light and frivolous pretences, they would injure themselves, as they might obtain less belief than they otherwise would do, when they had serious matter of complaint. I have also, I admit besides, frequently inquired of the prisoners whether they had any reason for complaint, particularly if I had the slightest ground whatever to suspect they had met with any ill-treatment; and I am quite confident, whatever expressions Mr. Morton Pitt may have used, which may appear to disapprove of such a practice, that he does not deliberately condemn it; but that on the contrary he must pursue the same course himself; for it would be extremely improper that any injury which might have been offered to a prisoner, should not be inquired into, in cases where a prisoner might be deterred by the fear of incurring the resentment of the officer over him from making complaints; or where, as is much more likely to be the case, he might be bribed to silence by improper indulgences.

*Lunæ, 23^o die Junii, 1823.*THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.*Augustus Granville, M. D.* called in; and further Examined.*Dr. Granville.**(June 23.)*

WHEN Dr. Hutchison showed you the letter of the 7th of June from Mr. Wilbraham, did you conceive the words of that letter to convey a general charge of inebriety?—Entirely so; distinctly so; and that fact, I may be permitted to add, the very conception of that letter, induced me to give him a certificate, which Dr. Hutchison has subsequently printed; and I distinctly state again, that that certificate was signed by me most readily, because I conceive the charge was of general inebriety, and was wholly inconsistent with the almost daily opportunities I had of observing his conduct.

How long have you known him?—I have known him since 1808.

Have you been in habits of constant and familiar communication with him?—I can almost say, without exaggeration, not two days have passed within the last five or six years without my seeing him.

Have you ever dined in his company?—Yes.

What is his habit at dinner?—His habit at dinner, as far as I have observed, when I have dined with a very few persons in company, has been taking the usual quantity that gentlemen are in the habit of taking.

Temperate?—Yes; I should rather say, abstemious.

More abstemious than excessive?—Decidedly so.

Did you ever see him intoxicated?—Never.

Did you ever see him approaching to intoxication?—Never.

Did you ever see him indulge in wine at all?—Not at all beyond what I have just stated his usual habits.

Which are abstemious?—Yes.

Had you not great difficulty in inducing Dr. Hutchison to write any letter at all upon that subject?—Very great, indeed; and I can appeal to the joint testimony of Sir Gilbert Blane, whether we had not a tough battle before we could induce him to agree to let the matter drop, as the members of the committee wished it, no doubt for very excellent purposes.

What was the impression upon your mind of the motive that induced him to refuse to write any letters?—Because, notwithstanding my own personal asseverations, that I considered his honour perfectly clear of the charge, he was not so ready in agreeing with me upon that point probably, and still wished for the inquiry; but as the condition upon which the inquiry was not to be insisted upon was, in my opinion, or rather had been in my opinion, complied with, by the two members of the committee giving up the names of those who are said to have been examined as to the position of the facts respecting the particular night, of course I thought that the matter ought to rest there, and that he ought to write such a letter as Sir Gilbert Blane and I suggested.

Do you belong to any philosophical society with him; do you belong to the Medical and Chirurgical Society?—I have belonged to that society with him; but I have withdrawn my name from it lately, belonging to several others, and finding it burthensome.

Was he accustomed to take a part in the discussions of that society?—Yes; I have had the pleasure of hearing him.

Those discussions took place in the evening?—Yes.

Did he ever, on those occasions, show any mark as if he had been drinking?—Certainly not.

The expressions used in your certificate refer, of course, to the general charge of inebriety?—Yes.

And not to any thing that might have passed on a given day?—Certainly not, of course; or else I could not have made use of the strong expressions, unless I had been present on the particular occasion.

In point of fact, did you communicate any thing to Dr. Hutchison, on the evening when you and Sir Gilbert Blane went to him, but what in substance is in that statement, signed by yourself and Sir Gilbert Blane?—In substance, but subject to the various qualifications and explanations I have given in the course of my evidence.

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The question is, whether you communicated those subsequent circumstances, that have been obtained from you by the Committee, to Dr. Hutchison at that period?—I do not comprehend that I have communicated other circumstances that I had not communicated to him; I have explained what I thought was my conversation with him, and my interview with the members of the committee.

Did you tell Dr. Hutchison, on that evening, that the deputation of the committee would still grant him the public inquiry he requested and reiterated, if he wished it?—I cannot take upon myself to say that I have done so to him; but I perfectly recollect, since it has been brought to my memory, that Mr. Wilbraham, at the conclusion of the interview, said, that if the inquiry was still insisted upon, of course Dr. Hutchison must have it; I cannot recollect having stated that matter to Dr. Hutchison.

Do you think you stated it?—I rather take upon myself as much blame as possible in this thing; and I am inclined to think I did not; for I was so very anxious that the thing should end there, merely from a conviction there was merely a misunderstanding, and no real fault on either side.

Sir Gilbert Blane, Baronet, called in; and further Examined.

*Sir G. Blane,
Bart.*

DID Dr. Granville tell you that the committee of the Penitentiary would go into the inquiry, if Dr. Hutchison wished it?—I have no recollection of that.

Do you recollect hearing him communicate it to Dr. Hutchison?—I do not recollect it.

Do you mean that he did not do it, to the best of your recollection, or that you do not recollect any thing about it?—I do not recollect any thing, affirmatively or negatively.

Do you know what were the feelings of Dr. Hutchison upon that subject, in the communications with him?—Distinctly.

Do you think, if the communication had been made to Dr. Hutchison that the committee would have granted the inquiry, that he would not have embraced it with eagerness?—Most assuredly.

Then would you have got him to write that letter if he had thought the committee would have granted him that investigation?—Certainly not; I had the utmost difficulty to persuade Dr. Hutchison in the first place to waive the investigation; I stated it to him in every point of light I could, that these gentlemen had honestly believed he had been guilty of that practice, that they most assuredly had been undeceived, or they would not have proposed such a thing to him, and therefore, as he must not resign, but still act, he should go all lengths to insure future peace and good understanding; I remained with him till two o'clock in the morning, before I could persuade him to do it, and could not succeed until I threatened to withdraw my friendship from him; that, as they had made concessions, he was bound as a christian to do it also; but being under the necessity of continuing, which he was, for having resigned, it would have been acknowledging his guilt; and being under the necessity of acting with those gentlemen, he ought to go all lengths in conciliating, I used the very expression, that he might in future act with peace and conciliation.

Have you been much in the habit of private intimacy with Dr. Hutchison?—Very much.

Have you ever dined with him?—Frequently.

Has he ever dined with you?—Many times.

What were his habits at dinner?—He never exceeded more than half a pint of wine, or a pint at most.

You would consider that person abstemious in matters of wine?—Most assuredly; one who never went the length of having his reason affected; Dr. Hutchison has also attended myself professionally at all hours.

Evening as well as morning?—Yes.

Did you understand Mr. Wilbraham's letter to refer to a particular act, or a general charge?—A general charge, for two reasons; the style was such as could apply only to a general habit; it was said it had extended considerably; the plural number is used "cases" which could not apply to a single case.

Was not there a case mentioned?—No, "cases," no particular case; it is "cases," in the plural number, and that it spread, and therefore it could only apply to a habit.

[The following paper was handed in and read:]

" N° 1803.—REPORT on the Death of MARY TURNER.

" MARY TURNER was removed to the infirmary on the 7th of January 1822. Her complaint assumed a dangerous aspect from her first admission into the infirmary, although then only a slight cough, with pain in her side. Dr. Hutchison saw her a day or two after her admission, and I believe always thought her consumptive. She died May 19, about 8 o'clock in the evening. The coroner sat May 21. Verdict—" Visitation of God." There was no observation made by the coroner or jury."

" The above Report, without a signature, announces the death of the same little girl whose case I had the honour to state to the committee, about two months ago, as one likely to be benefitted by a change of air. She certainly died of consumption, after every care and attention had been shown to her by the surgeon and nurses.

" A. C. Hutchison, Medical Superintendent."

Mr. John Pratt, called in; and further Examined.

YOU were present on the death of Mary Turner?—I was.

Will you state the circumstances attending Mary Turner's death, as accurately as you can from recollection?—Mary Turner, on the 17th of May 1822, was reported to the committee as consumptive, and not likely to last long.

By whom?—By myself in the Journal; on the 19th of May, between seven and eight o'clock in the evening, Dr. Hutchison came to visit the infirmaries, and he and myself went immediately into the room where Mary Turner lay, I then represented to Dr. Hutchison, that she was dying.

Who were present?—Three or four of the prisoners and Mrs. Cowsey the nurse; Dr. Hutchison examined her, and he advised me immediately to get a blister and a cardiac mixture, and æther and a blister to apply to the stomach; at the same time Dr. Hutchison desired a warm bath to be prepared for the purpose of putting her in.

Putting her in?—Yes, putting her in.

You are sure it was Mary Turner he meant?—Yes, certain of it.

Was that done?—I left immediately to prepare the blister and the medicine, which I returned with directly; when I returned, Mr. Bennett, the chaplain, was at prayers, and the matron was in the room.

What prayers did Mr. Bennett read?—I cannot state that, I saw him at prayers.

You do not know whether they were prayers for the visitation of the sick?—No, I do not; I believe they were the prayers that he generally reads to those thought dying; Dr. Hutchison wished the blister to be divided into two, which was done, and Dr. Hutchison gave her a portion of the mixture; we then went into the male infirmary, N° 2, where we were not long, and on our return we were informed she was dead.

Do you know why the bath was not given?—I believe it was by Dr. Hutchison's request; in fact there was no steam on at that time, and therefore the bath could not be procured immediately, but he desired the nurses to get the kettles boiled.

Was that given before you left the first time, or after you came out?—It was given before I left.

Was there any thing in Doctor Hutchison's behaviour that led you to conclude he was less in self-possession than usual?—I thought so from his prescribing a warm bath, as much as any thing.

Was there any thing in his manner?—A degree of irritation, that led me to suppose he certainly was the worse for some excess.

Did you communicate that to any person in authority in the Penitentiary?—I communicated it to Mr. Courtenay.

Did you advise with any body before you did so?—I mentioned it to Mr. Bennett, and he thought I had better consult some medical friend; I certainly had some conversation with my son; Mr. Bennett declined giving any opinion upon the case.

Do you mean consulting with a medical friend upon Dr. Hutchison's apparent want of self-possession?—No; whether I should mention it.

What do you mean by consulting any medical friend?—To know whether I should give Mr. Courtenay any information of it.

Did any thing more pass between you and Mr. Bennett upon the subject?—No, I believe not.

Was any body else present?—No.

You spoke to your son?—Yes.

Who is a medical man?—Yes.

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Did you advise with any body else?—No.

State, as nearly as you can, the conversation with Mr. Courtenay?—I mentioned the circumstance to him that had occurred, and I stated it as my opinion that Dr. Hutchison was the worse for some excess.

Did you found that opinion upon the fact of a bath being ordered for a person you thought it not proper for, or from something in his manner or behaviour?—There was certainly a degree of irritability about Dr. Hutchison's behaviour, and I did not think he would otherwise have ordered that warm bath.

Are you quite clear that Dr. Hutchison might not have ordered that for any other patient?—I am certain of it.

Were there any other patients in the infirmary for whom such a bath would have been proper?—In my opinion not.

What was the state of Mary Turner at eight o'clock that evening?—When I saw her with Dr. Hutchison that evening she was certainly dying.

What symptoms were there?—Languor, constant sinking of her pulse.

Had any communications been made to Mr. Bennett to come and pray by her?—I believe there had been.

Do you know whether he had been sent for before Dr. Hutchison came?—I believe he had.

Now you state that Dr. Hutchison was in a state of irritability, and therefore you conclude that he had indulged in excess; what symptoms of irritability did he show?—A degree of agitation, I thought.

Do you conclude, when you see any body in a state of irritability and agitation, that they are in liquor?—Certainly, not always.

Do you think no other cause but liquor can excite irritation of manner?—Certainly not.

Do you think domestic misfortunes might excite irritation?—Certainly, they might.

Was there any thing in his manner that peculiarly marked it to be the result of intoxication?—That was what struck me at the moment merely.

Did he stagger?—Not to my knowledge.

Describe what you mean by irritability of manner?—It appeared to me that he ordered it at that time when the girl was in the agonies of death; if he had not been in that state he would certainly not have ordered as he did.

You mean to say, that Dr. Hutchison had lost his presence of mind, and that it might have proceeded from one cause as well as another?—Certainly it might; but there was a certain something that struck me, it must be the effects of liquor.

What do you mean by its striking you as the effects of liquor?—I can hardly describe it.

Have you ever seen any person tipsy?—Yes.

Were there, in your opinion, the signs of a person being drunk?—When a person is a little affected the signs are not very strong, which I think was the case of Dr. Hutchison, merely a little excess.

What were the signs, have the goodness to state them, besides the bath and the blister, which you did not approve of, and the cardiac mixture which you seem to condemn; what were the signs besides those that made you believe he had been guilty of some excess?—There were only those things, and a degree of irritation.

Have you ever seen him in a state of irritation in the morning?—Certainly not.

Is he always the same placid person he is now?—I never saw him so irritated.

Never saw him so in the morning?—Only when vexed.

What was the difference between him?—I never noticed so much irritability in the morning as in the evening.

Do you mean to say that generally?—Yes, I mean to say that generally.

How long is it since you have observed it?—I observed that several times.

Did you ever communicate it to any body?—No, I did not.

Were you upon good terms with Dr. Hutchison?—I believe, very good terms.

Did you consider Dr. Hutchison to be your friend?—Certainly.

When you saw Mr. Bennett, what passed in conversation between you and him?—I really cannot exactly say what passed; but I mentioned to him a certain degree of irritation I had observed about Dr. Hutchison.

How soon after the 19th did you speak to Mr. Bennett about it?—The same evening, I think; or, at furthest, the next day.

What

What did Mr. Bennett say to you?—He said very little upon the matter; but advised me to consult some medical friend or friends.

You have stated, there was no person in the infirmary to whom the bath would be a proper application?—Certainly not.

Have you a list of the persons ill in the infirmary at that time?—I have.

Is there an account of all the diseases?—Yes, there is.

[*The same was handed in.*]

Was there any person in the infirmary that day ill of chronic rheumatism?—Yes, there was.

What was her name?—Ann Shorter.

Is she in that list?—Yes, she is.

Will you take it upon yourself to say, the bath was not ordered for that woman?—I will.

Of that you are sure?—Yes.

Did Dr. Hutchison take any notice of that woman that evening?—Not to my knowledge.

Were you with him the whole time?—No, I went out to prepare the medicine; I left him then on Mrs. Cowsey's side, which was the side where Mary Turner was.

You have stated, that Dr. Hutchison was occasionally irritable of an evening; and you have also stated, you have never communicated it to any one?—No, certainly not.

How long ago did you make that remark, as to his evening irritabilities?—I cannot recollect exactly the period; some considerable time before.

What time should you say?—Perhaps two years before.

Do you remember Dr. Hutchison, in the presence of Mr. Courtenay, giving you an official letter to sign, and which you were going to sign without reading?—It might be so.

Did Dr. Hutchison make any remarks to you upon that subject?—I do not recollect.

Do you remember any thing of saying, upon Mr. Courtenay's asking you the question, that you would sign any thing he wrote?—I cannot recollect that.

Will you say you did not?—I cannot.

Do you recollect Mr. Courtenay's asking you, whether you would say any thing he said?—I cannot recollect that.

And that you did not answer, yes; that you would sign any thing he wrote, and say any thing he said?—I cannot recollect any thing of the kind.

Will you take upon you to say you did not say that?—I certainly will.

How long have you been surgeon at the Penitentiary?—Seven years.

You and Dr. Hutchison had acted together during all that period?—Yes.

Where did you reside before?—At Kennington.

Did you carry on the business of surgeon there?—I did.

Was Dr. Hutchison sent for on the evening in question, or did he come in the discharge of his official duties?—I think he came in the discharge of his duty; I do not recollect sending for him.

Was Mary Turner the first patient he saw that evening?—I believe she was.

Upon coming into the ward to her, what did he do, did he examine her?—Yes, he felt her pulse, and examined her particularly.

Who was present besides yourself and Mrs. Cowsey?—Three or four prisoners.

Can you give us their names?—Jane Beaumont, Rosina Pennington, and Sarah Mitchell.

Was the chaplain in the room in the first instance?—I think he was.

After examining the patient and feeling her pulse, Dr. Hutchison proceeded to prescribe in the manner you have mentioned?—Yes.

The mixture and blister and bath?—Yes.

Did he prescribe for her in the room where she was, in the ward?—I think he did.

Are you certain of that fact?—I think I am.

Then you went away to prepare the medicine, and returned very shortly and found the chaplain in the act of reading prayers?—I did.

Did Dr. Hutchison kneel down and join in the prayers?—He did.

What circumstance first induced you to think there was a degree of irritation about him, what was the first circumstance?—I cannot call it to my memory, but

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it struck me at the time, from the impropriety of ordering a warm bath, and for the blister and medicine; that was all.

You did not agree with him in opinion?—Certainly I did not.

Previously to this time, had you and Dr. Hutchison been upon perfectly friendly terms?—Very good terms, and after that time.

Can you tell me, whether Mary Turner had ever been in a warm bath before?—I do not recollect that.

You thought Dr. Hutchison's conduct so improper in the course of the evening, it was your duty, as a public officer, to make a charge against him?—I did.

The Committee presume you made that charge the next morning?—No, not for two or three days after.

The Committee understand you to say, you mentioned it to Mr. Bennett the same evening?—I talked it over to him the same evening, or the next morning.

In point of fact, when did you make the charge to Mr. Courtenay, the visitor?—I think three days afterwards, upon Mr. Courtenay's coming to the Penitentiary.

Was that the first visit?—I believe it was.

Are you certain of it?—I think I am.

You are quite certain this bath was not ordered for any other patient whatever?—That I am certain of.

You have stated, that Dr. Hutchison was exceedingly agitated during his examination of Mary Turner; did you, as a professional man, never feel agitated when advising for a dying patient?—Not to my knowledge.

Do persons under such a melancholy affliction as consumption, die suddenly at any time, go off at once without the medical adviser being prepared for such an event?—I think not.

You never saw it?—No.

You have criticised the blister and the cardiac mixture, as well as the warm bath; do you mean, as a professional man, to say, that being called upon to attend a patient under circumstances such as those of Mary Turner, that no application, in your opinion, could be administered to relieve her?—Certainly, I do.

What would you have advised under such circumstances?—Nothing at all; I would have only advised her to be kept quiet.

Is it usual for a medical practitioner to leave a patient without any hope of recovery?—When death was so near, I should think no medical practitioner would advise any kind of remedy.

Do you mean that the patient was past any feeling of sense or mind?—She was nearly in an insensible state.

Then the Committee are to understand, you would, under such circumstances, leave the patient to die without any attempt upon your part to prolong life?—Certainly I should.

Had you any suspicions, by any former conduct of Dr. Hutchison during the seven years you have known him, that he was in a state after dinner unfit to prescribe for any patient under difficult circumstances?—I certainly had.

When you stated that you were advised by Mr. Bennett to consult a medical friend, which friend appeared to be your own son, was that for the purpose of obtaining advice upon symptoms of inebriety?—No, it was not; it was for the purpose of whether I should inform Mr. Courtenay of what took place that night.

Do you consider, as a professional man, a warm bath a good thing for chronic rheumatism?—Certainly, I do.

Then did you ask Dr. Hutchison, if the warm bath was meant for Mary Turner?—Dr. Hutchinson and I had not seen the chronic rheumatism case that night, we only saw Mary Turner when it was ordered.

Do you believe that Dr. Hutchison did not know of the case of chronic rheumatism in that ward?—It was not in that ward; but in another part of the infirmary.

Was this woman suddenly seized with it?—A chronic rheumatism is what has existed for some time.

Why are you sure this bath was not intended for the chronic case?—He had not seen that case that evening.

You still doubt whether Dr. Hutchison might not have known of that patient?—He knew it from his previous visits.

By whom were you recommended to the Penitentiary?—By the late Earl Rothes and the Honourable William Lamb, to the committee.

The committee generally, or any particular member?—The committee generally, and by Mr. Tidd.

By

By letter?—Yes; letter and a certificate from Dr. Babington and Sir Astley Cooper.

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Do you ever remember during the time you and Dr. Hutchison were together in the Penitentiary, did he ever before make a medical mistake?—Not to my knowledge.

Why were you so long in making this known to Mr. Courtenay, after consulting your son, the medical adviser?—I did not see my son until the day after, nor Mr. Courtenay till three days after; it was upon his coming to the Penitentiary I informed him.

Was he the visitor at that time?—Yes, he was.

That was the first time you saw Mr. Courtenay after the occurrence?—Yes.

Did Dr. Hutchison ever attend you or any of your family as a professional man?—Not to my knowledge; I might have asked him a question concerning some of my family.

Did not some conversation pass between you and Dr. Hutchison, before your saying to him, that the patient was *in articulo mortis*?—I said that.

What answer did he make to that?—I do not know.

You do not know whether he had the same opinion?—No.

How long is a blister before it takes effect?—Four or five hours.

The Committee understand you mentioned it with tears to Mr. Courtenay; you were so agitated at the time?—I was very much agitated.

And shed tears?—I certainly did, I was very much agitated at the time, and had been for several days.

You mentioned it to consult him what ought to be done?—Yes, I certainly did.

Ann Shorter, who was the rheumatic patient, was on Mrs. Barnacle's side?—She was.

And not where this woman was?—No.

Had Dr. Hutchison at that time seen Ann Shorter?—He had not.

Did he give directions about the warm bath to Mrs. Cowsey or Mrs. Barnacle?—I believe to Mrs. Cowsey.

What was the effect produced upon the women who attended the patients by the order given?—They were very much surprized at it.

Did they say any thing?—Not to me; I did not hear it.

Were you known to any members of the committee before you were appointed?—I was not.

Have you any reason to believe, that any personal interest was made for you by any members of the committee?—I have not.

Was it you who told Dr. Hutchison, that the patient Mary Turner was *in articulo mortis*, or was it Dr. Hutchison who told you?—It was me who told Dr. Hutchison.

Did you use that particular expression, *in articulo mortis*?—I did.

Did you or Dr. Hutchison administer the draught?—Dr. Hutchison.

Did he raise the patient up in the bed?—I do not know.

Did he give it her when lying down, or did he assist in raising her up?—He gave it her, and she might have been raised by him a little.

You have stated, that this is the first instance in which you have known Dr. Hutchison make a medical mistake?—It certainly is.

And you have stated also, that you have often seen him unfit to do his duty in the evening?—I have two or three times seen him in a state that struck me.

Struck you what?—That he had been drinking too much liquor.

Was he at those periods in the same state of irritability?—Yes, somewhat similar.

But on the other nights he never prescribed wrong?—Certainly.

It was only this night that his irritability led him to prescribe the things you condemn?—Yes.

And prescribing those three things, you considered proof that his reason was not so good as in the morning?—Certainly.

You never reported to any visitor before, that he was in that condition?—I did not.

You never consulted the chaplain before?—No.

When you made this charge, did you tell Mr. Courtenay, you had frequently seen Dr. Hutchison in that state?—Not to my knowledge.

You confined yourself to that particular case?—Yes.

That was the only complaint you made?—Yes; when I say frequently, it was two or three times.

You did not communicate it two or three times to any body?—No.

Did Mary Turner complain of a pain in her breast, so as to indicate pain at the time of giving the medicine?—I do not know.

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Where were you standing?—Near the door; I went out immediately upon Dr. Hutchison's prescribing the blister; I prepared it, and I then brought it in.

Should you not consider it a neglect of duty, if the medical superintendent advised one thing which you thought so extremely wrong, not to reason with him upon the subject, instead of what would be called in common parlance, walking off?—No; he wished it to be done immediately, and I went immediately and did it.

If the patient was so far gone as to be insensible, where was the use of reading prayers?—I do not know.

Could she speak?—Very little; barely articulating; she was dead in ten minutes afterwards.

Did Dr. Hutchison order the warm bath before he saw Mary Turner?—No, he did not.

He was in the room with Mary Turner when he ordered it?—Yes.

That was before you went out to prepare the medicine and the blister?—Yes; when that order was given I went out immediately.

Were there any other patients in the room?—Four patients and the nurse.

It could not be to any one of those patients that the bath could apply?—No.

Was the bath given to any body?—No.

Was the bath prepared?—It was not; Dr. Hutchison forbade it afterwards.

The kettles were put on?—I believe they were.

Do you know that of your own knowledge?—No.

Did you ever know that medicine that Dr. Hutchison ordered, given to a patient in consumption?—No.

What effect did it produce?—She could not swallow it.

How soon did she die afterwards?—In less than ten minutes.

Do you mean to say that that medicine, in your opinion, hastened her death?—She certainly appeared to me, at that time, to have been dying the whole day.

Do you mean to say you thought that medicine hastened her death?—No, I do not mean to say that; I thought it improper to give medicine of any kind.

Had Dr. Hutchison seen Mary Turner that morning?—He had not.

Did you consider her dying in the morning?—I did.

How came Dr. Hutchison not to be sent for?—It was the day that he generally visited the patients, and was therefore expected to call.

Did he come in the evening without being sent for?—Yes, he did.

Do you know whether there was any body who walked down to the Penitentiary with him?—Not to my knowledge.

Did you not state to Mr. Courtenay, that Dr. Hutchison ordered the bath for Mary Turner after he had said she was *in articulo mortis*?—No; I told him that was my observation.

That was previous to his examining her?—Yes; upon his going into the room.

You were present when the bath was ordered?—I just heard the words given for the bath being ordered.

There were no words expressing who it was for?—Except for Mary Turner.

Did you hear any such words?—I took him to that patient immediately; upon which he gave an order for the medicine and the warm bath.

He afterwards, you say, gave an order that the bath should not be administered?—He did.

Should you consider it improper, as well as useless, to give any medicine?—I did.

What would have been the effect of the warm bath upon a patient labouring under that complaint?—I should think she would have died immediately upon being immersed in the water.

Did Dr. Hutchison contradict the order in consequence of there being no water convenient?—I cannot say.

How recently had you examined Mary Turner before Dr. Hutchison came, to enable you to form an opinion that she was *in articulo mortis*?—I had seen her two or three times.

Had you examined the extremities?—Not to my knowledge.

What is the first symptom, generally speaking, of a patient being *in articulo mortis*?—A sinking and coldness in the extremities.

Particularly the feet?—Yes.

If you had not had so frequent opportunities of seeing her *in articulo mortis*, but suddenly called in as Dr. Hutchison was, might you not think that some administration of medicine might prolong her life, or relieve her in the agonies of death?—

No,

No, certainly not, and Dr. Hutchison had seen her from her first coming up into the infirmary.

But he had not seen her for two days before?—No.

Had you not before this period, complained to the committee in writing or verbally, or both, of Dr. Hutchison's interfering too much in your department as you thought?—I do not believe I ever made a complaint to that effect.

In 1818, did you not make that complaint to the committee?—Not to my recollection.

Do you know that there was a woman of the name of Cinderberry, extremely ill in the infirmary at that time?—Yes.

Did she recover?—I cannot recollect.

Was she much emaciated?—She was.

Did you not say, you never saw a person so near death, recover in your life?—Yes, I did.

Do you recollect that there was recently in the infirmary for many months, a poor young man of the name of Scavering, or something like that, labouring under consumption?—Yes, I do.

Do you recollect the great state of debility and emaciation to which that man was reduced?—I do.

Do you recollect, that that man expectorated great quantities of matter coloured with blood?—I do.

Do you recollect, that this man was so much reduced, that it was necessary to move him from the bed to the close-stool?—I do.

Do you recollect saying to the medical superintendent, that you never saw a person in your life, or could have contemplated the idea of a person so reduced with his disease, afterwards recovering?—I do.

Do you mean to say, you have never seen or heard of an instance of a person dying suddenly, labouring under a consumption, from the bursting of a vomica or abscess of the lungs?—I have seen it.

Do not you recollect yourself having in your medical reports of convicts dying in the infirmary, stated that as the probable cause of the death?—Yes, certainly I have.

Do you recollect, that in addition to those you have named as being in the ward with Mary Turner on the evening of the 19th, that there was the chaplain, the matron, and the nurse Cowsey?—I do recollect that they were in the ward.

Do you recollect, when Dr. Hutchison had examined the patients who lay on the left hand side of the door, entering the ward, his examining Mary Turner, and taking you by the arm outside the ward into the passage, and prescribing for her the draught alluded to and the blister, and that in a low tone of voice, in a whisper?—No, I certainly do not recollect that.

Was not Dr. Hutchison in the habit of speaking in a low tone of voice to the patients under those circumstances?—Certainly.

Do you recollect saying, when Dr. Hutchison gave you your directions, you would give the medicine after you had gone round the other wards?—I do not recollect that.

Do you mean to say, you do not recollect that the medical superintendent said "No, you must fetch it now," and that he would wait and see her take it?—I recollect Dr. Hutchison saying, it must be administered immediately, and I went and prepared it, and brought it.

Do you mean to say, that did not take place?—Not to the best of my recollection.

Do you recollect, that you halted a second or two at the door with the medicine in your hand, before Dr. Hutchison got up from being on his knees at prayers?—I certainly did.

Do you not positively recollect Dr. Hutchison standing on the right hand side of the bed, next the door, and raising up the patient and supporting her back and head with his left hand and arm, and exhibited the draught with his right hand?—I cannot say I do.

Do you recollect, that Dr. Hutchison was in the habit of taking oranges in his pocket to this poor girl?—I believe he did.

Do you mean to say, there was no person in that ward for whom a bath might be considered necessary?—Certainly not.

Upon what do you found that judgment?—Upon the number of patients in the room.

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What were the diseases under which they were labouring?—There was Elizabeth Collison, and Mary Turner, and Sarah Mitchell, I believe that was all.

Was not there a fourth patient in the ward?—I believe not.

Is it not a very common circumstance, that a person admitted into the infirmary with one disease, before being removed, being attacked with another?—That has certainly occurred.

Frequently?—Yes.

May not it have been possible, although there may be no disease against the name of the individual here in that ward for which a bath might be necessary, that such might have been the case in this instance?—Certainly it was not.

Upon what do you give so decided an opinion?—Upon the ground of the cases that were there; Elizabeth Collison was consumptive, Mary Turner was consumptive, Sarah Mitchell was an inflammation of the bowels.

Had she not an inflammation of the liver?—Not to my knowledge.

Did she not become dropsical?—She did.

Is it usual to prescribe a warm bath for a person labouring under chronic or acute inflammation of the liver, or diseases of the abdomen?—Certainly it is.

Is there not a possibility that the bath may have been ordered for this woman?—Certainly it was not.

Not a possibility of it?—Not in my mind; I can positively say the bath was ordered for Mary Turner.

Were not you in the act of going out of the ward when the order was given for the warm bath?—I might be just at the door at the time the order was given.

Should you say positively, that before your going out of the door that the bath was ordered for that individual patient?—I will say so; that the bath was ordered for Mary Turner.

You have said, that on going out of the door you heard the words “warm bath” accidentally?—I heard the order given for it being prepared.

But you did not hear the name of the person?—Dr. Hutchinson’s attention was called to that person.

You have said, you heard the words “warm bath” just as you were going out of the door?—Yes, as I was going to the door.

Was it an usual thing for Dr. Hutchison to go into the ward to see a particular patient, and not ask the others how they were?—Dr. Hutchison’s attention was called to that particular patient.

When Dr. Hutchison has been sent for by you to visit a patient in the infirmary, has he not visited the other patients?—Certainly.

Did you ever know an instance of hemorrhage upon the lungs stopped by a steam bath?—No, not to my knowledge.

You never did?—No, I never did.

Did you ever know the pulse brought down from 120 to 90, by the vapour bath?—No, I did not.

Is there a vapour bath in the Penitentiary?—No, there is not.

Did Sarah Mitchell become dropsical after the time you have been speaking of, or was it before?—After the time, to the best of my recollection; but I cannot say positively.

Will you inform the Committee, why in your journal of the circumstances of that case that evening, it does not appear that the bath was inserted in the journal; but only the medicine prescribed for that girl?—Certainly it was not inserted in the day-book, but the medicine prescribed was; nor has, I believe, the word “bath” been inserted at any time, because the order was given upon the spot where the bath could be procured.

Is the blister in the day book?—Yes it is, and the mixture.

But the bath not?—No.

Is it customary to insert the bath?—No.

Is it customary to insert the prescriptions not carried into effect?—Certainly not.

Was the blister applied?—I believe it was cut in half, and part of it applied.

You say she died while the mixture was being administered?—It was a minute or two afterwards.

Was any particular haste shown in ordering the bath?—There was.

Was any observation made in consequence of the bath not being ready?—Not to my knowledge.

The *Rev. Samuel Bennett*, called in ; and Examined.

YOU are chaplain to the Penitentiary?—Yes.

Do you recollect the death of Mary Turner?—I do.

Were you in the room at the time she died?—I was.

Were you there before Dr. Hutchison and Mr. Pratt came in, or did you come in afterwards?—When I was sent for to Mary Turner in the evening, Dr. Hutchison was in the nurse's room, we both met together; I believe he was in the room at the time.

Did you make any observation to Dr. Hutchison, or Dr. Hutchison to you?—Mrs. Cowsey, one of the nurses was there, and she said she was very ill, and he ordered her to be put into a bath.

Was any thing said by Mr. Pratt to Dr. Hutchison, or by Dr. Hutchison to Mr. Pratt, about her being *in articulo mortis*?—I do not recollect.

Did you hear Dr. Hutchison desire she should be put into a bath?—I did; when he ordered her to be put into the bath, and the answer was from the nurse, the steam was off, and they could not get the water.

Did you make any observation upon that at the time?—No; Dr. Hutchison desired the nurses to put on kettles; I then said, if that is the case she may come out of the bath exhausted, I will go and read to her first, which I did, and Dr. Hutchison followed me into the room.

Where was Dr. Hutchison at the time the order was given?—In Mrs. Cowsey's room.

Did you go into the room where the sick woman was?—I believe Dr. Hutchison followed me immediately, for when I got up from reading prayers, Dr. Hutchison was in the room, and I think, to the best of my recollection, he went in with me when I had read prayers; Dr. Hutchison countermanded the bath and ordered a blister and some medicine, the blister was cut in two, he said she was not to go into the bath.

Dr. Hutchison attended the prayers?—Yes, I believe he was there when I finished reading, and I presume he was the whole time, but I was with my back to him.

Are you sure in what room Dr. Hutchison was, at the time the bath was ordered?—In Mrs. Cowsey's room.

Not in the room with the prisoners?—No.

Had he seen the prisoners?—That I cannot tell.

Was any remonstrance made by any body against the bath?—The nurse said she was very ill, she thought her dying, that I recollect.

Did Mr. Pratt ever consult you, as to the course to be pursued on that evening?—He did not that evening.

Did he not consult you that evening?—No, it might be one, two, or three days afterwards; I was sitting in my study one morning, and Mrs. Bennett happened to be with me; Mr. Pratt came into my room, and he said, I have to apologize for coming in; that I suppose he said merely from seeing Mrs. Bennett there, because it is unusual to find her there; he said, I am not satisfied with Dr. Hutchison's conduct, he has been in the habit, more than once or twice, or oftener, of coming to the Penitentiary of an evening in a state of intoxication; I came to consult you in what way I should prefer a charge against him, alluding to his coming in that state. I replied, Doctor Hutchison is a friend of mine; but if I had a clergyman assisting me at the Penitentiary, whose conduct I did not approve of, I should either speak to him myself, or request some clerical friend to speak to him, but I should certainly not go to a medical gentleman for advice how I was to proceed with my clerical assistant, therefore, if you are in any difficulty, or dissatisfied with Dr. Hutchison's conduct, you have a son, a medical man, consult him or your medical friends, for I shall give no opinion whatever upon the subject; upon that Mr. Pratt left me.

Did he state to you, that any part of the charge he wished to make related to Mary Turner?—Yes, he spoke of it that night particularly; he then said, you must have observed, on Sunday night, that Dr. Hutchison was intoxicated; I said I did not; nothing led me to suppose that Dr. Hutchison came in that state; I did not make any observation upon it; my whole thoughts were employed towards the child dying; I thought Dr. Hutchison displayed a good deal of irritability of temper, and he was agitated; I had seen Dr. Hutchison afterwards, and he had spoken before to me of the law-suit he had with his sister; he had talked of very little else;

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he seemed dejected and out of spirits, and he gave his orders out perhaps in a way they did not like.

Was the word made use of, that Dr. Hutchison was very odd, that night?—I certainly think he was odd; he appeared irritated.

Was that the expression made use of to Mr. Pratt from you?—It might be, certainly, because I observed it; I thought he was unwell, in fact, from what he had said before of his losses.

You did not think it arose from intoxication?—I had no reason to think so.

Have you often seen Dr. Hutchison of an evening?—I believe he hardly ever came without calling upon me.

Did you ever see him in a state approaching to intoxication?—Certainly not; I attributed it to a very different cause.

To what cause?—Family concerns.

Did Dr. Hutchison ever attend you or your family as a medical man?—Yes.

Had you confidence in his skill as a medical practitioner?—Certainly; he never offered his services to me gratuitously.

During the whole time that Dr. Hutchison attended as a medical person at the Penitentiary, did you conceive he conducted himself with kindness and propriety towards his patients?—I have no reason to suppose otherwise; I never heard of any complaint.

You never heard of any complaint among the prisoners?—A little time ago there was a prisoner died, of the name of Brenton; they were in a state of mutiny at the time; they then complained of Dr. Hutchison and Mr. Pratt; I should mention that one of the nurses said, she wished Dr. Hutchison would come of a morning instead of the evening, which led my attention to him.

Who was that?—Either Mrs. Barnacle or Mrs. Cowsey.

Have you ever heard any of the prisoners intimate an opinion, that Dr. Hutchison did not come in a proper state in the evening?—Yes; one of the nurses told me, that one of the prisoners had told her so, and I sent for the woman and reproved her for it, and they brought the wrong woman to me.

Was not it a spreading report in the prison?—Yes, it was, after what had passed on the night of Mary Turner's death.

Did Mary Turner ever desire herself any spiritual consolation from you?—Yes.

Herself?—Yes; I had been in the habit of seeing her every day; may I refer to an extract from my journal.

Certainly?—She was some time in the infirmary; but I have on the 18th of May, ten o'clock at night, Mary Turner dangerously ill in the infirmary; May 19th, visited this morning Mary Turner, seriously ill (that is, a Sunday morning.) I recollect, after I came out of the chapel meeting with Mr. Pratt, and going with him between the services; that I did not enter, but at night, when she died, I made this entry: "Mary Turner died this evening in the infirmary, at five minutes before eight o'clock;" I had visited her several times in the course of the day, and was with her when she died; she was about fourteen years of age, and had never a report against her during her confinement in the ward of the prison; I had seldom met with so young a person who bore a severe affliction with so much resignation and patience.

Do you know what her sentence was?—Death.

She actually at that period desired spiritual consolation at your hands?—Yes; she begged me, when I left her to go to the chapel in the evening, to come and see her again. It was very natural she should send to me, as I was the cause of her going there, and was known to her friends.

She was not in a state of insensibility when you read prayers?—Certainly not; I was with her when she died, and she was perfectly sensible, and spoke shortly before.

Did she send for you at the period you came into the room?—When I am sent for in the night, I always put it down; therefore, when she became dangerously ill at ten o'clock, I went, at her particular request, early in the morning; and went to her again, and she desired me to come again.

Did she desire you to go at the time you did go?—I promised I would go to her, and I did go to her; and it was the last visit that night.

She was perfectly sensible?—Perfectly so.

Did she speak in a low tone of voice?—She spoke plain; she appeared quite exhausted; she died in a moment, when talking to me. Dr. Hutchison said she might live a short time.

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You have said, in your opinion, the agitation or irritation of Dr. Hutchison was brought about by family disappointments, and that he appeared to be in a state of dejection?—Yes.

Does inebriety, in your opinion, produce low spirits?—I have seen people affected in different ways; I have seen men very boisterous, and some I have seen cry.

It has been stated by you, that the news got round the prison among the females, of Dr. Hutchison being generally in a state, in an evening, of inebriety; are prisoners generally prone to believe what they are told?—Of course they would be.

Whether true or false?—Yes, I should think anything of that sort that was said, as a sort of thing that would spread right or wrong through the whole building.

Had you a conversation or otherwise made a charge, or said you had reason to believe Dr. Hutchison was occasionally in a state of inebriety when he came to the prison?—No, certainly not; I thought him labouring under mental irritability, and I had thought so some days before, when the nurse made that remark, that she wished Dr. Hutchison would come in the morning instead of the evening. I should not have taken any notice about the ordering of the bath, but when she said that, I thought he had come in a state of irritability, and might be out of humour with any body.

In consequence of that remark of the nurse, did you observe any thing in Dr. Hutchison's manner that would lead you to think she was warranted in the remark?—I thought him out of temper; I walked with him up to the gate, and he always spoke of the loss he had sustained by his sister; it was a circumstance that seemed to prey upon his mind.

Was there any thing that could lead you to believe he was intoxicated?—I never supposed he was.

You did not see any thing in his manner?—No; I had been told what he had lost by his sister, that it was four hundred pounds.

Did not Dr. Hutchison join in the prayers, and kneel down?—The nurse told me he did; I asked her.

Did you see him?—I think he followed me into the room; and he was there, when I had done reading.

He was not opposite to you?—No, he was not.

You have stated, that it was in Mrs. Cowsey's room the bath was ordered; you were not present when Dr. Hutchison and Mr. Pratt first met in the prison?—I cannot say whether Mr. Pratt came in afterwards or before.

Therefore, something may have passed between Mr. Pratt and Dr. Hutchison, which you did not hear?—Yes, and after Dr. Hutchison left the room; when he ordered the blister, the blister was put on, and the medicine was given; the little girl remained talking to me, and she went off; when he came into the room, I told him she was dead; he turned rather pale, and said, "Is she!" I cannot say what other people's feelings were; I felt hurt myself.

Before Mary Turner's death, was it possible for Mr. Pratt to have any conversation with Dr. Hutchison without your knowledge?—That I cannot say.

You were not present during the whole time?—No; I came out of the chapel late; and after I had got some refreshment, I went there.

If the Committee understand you, the order was given in Mrs. Cowsey's room?—Yes.

Had he seen the patient?—I think he had.

Was Mr. Pratt there?—Yes.

Did you hear Dr. Hutchison order the bath in the sick room?—It was in the nurse's room, adjoining.

You say, the bath and blister and the medicine were ordered together?—No, certainly not; that I cannot answer, for I only heard the bath ordered at the first; and I remember the nurse brought a large blister, and a small one which was cut; that was after the bath was countermanded.

Who gave her the medicine?—The nurse, I think.

Administered it?—I think Dr. Hutchison had it in his hand; who gave it, I do not know; Mr. Pratt mixed it up; I think Dr. Hutchison gave it to the nurse at the moment, and put it into the nurse's hands.

Did you see Dr. Hutchison raise her up in the bed?—That brings some circumstances to my mind; it must have been before I went in, because the nurse complained he was rough with her, and lifted her up.

Did he support her while she took the medicine?—That I cannot say; he was standing over the bed with the people all there.

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Do you recollect how soon Mr. Courtenay, the visitor, came to the Penitentiary, after Mary Turner's death?—No.

Or about the time of his first visit, after the death of Mary Turner?—No; I remember Mr. Pratt did not like the medicine being given to her; he was angry at it, but he made no remark afterwards.

Have you any reason to believe there was any particular ill will between Mr. Pratt and Dr. Hutchison, any cause of offence existing?—I do not know that there was; I do not think that Dr. Hutchison had much confidence in Mr. Pratt, nor Mr. Pratt in Dr. Hutchison.

Was there any thing particular between Dr. Hutchison and the matron?—No.

Or any of the nurses?—No.

Endeavour to recollect whether it was the day following, or two days afterwards, that Mr. Pratt made the communication to you?—I think it must have been two days; Mrs. Bennett was present.

Did you join Mr. Pratt in the complaint he made of Dr. Hutchison's intoxication?—No; I was never questioned upon the subject; Mr. Courtenay told me of the charge that Mr. Pratt had brought against Dr. Hutchison, and I repeated to him what I have said before.

Did you agree with Mr. Pratt as to Dr. Hutchison being frequently seen in a state of intoxication?—No, certainly not; I have seen him out of temper, a little hurried; a little matter would do that.

When Mr. Courtenay spoke to you, and the committee afterwards, did not you rather give them reason to believe you connected with them?—No, I only said what I had heard; I never was examined by the committee; I stood out against it; I said it was only an unusual irritability of temper.

Do the Committee understand you to state distinctly you were never examined upon this charge against Dr. Hutchison before the committee?—Never.

You have stated you did not think that Dr. Hutchison and Mr. Pratt had any great opinion of each other's professional talents?—They were not upon the best of all terms; they were at a sort of distance; I remember about a year ago, when Dr. Hutchison complained of not being sent for to a poor woman that died, of the name of Atkinson, I remember telling him I found Mr. Pratt there at three in the morning, and Dr. Hutchison expressed a wish that he had been sent for; I was never more astonished than when I saw the letter that Dr. Hutchison addressed to the committee; I never imagined it, till I saw it in the paper sent down to my father, that I was included in the charge, and I asked Dr. Hutchison what he meant.

Have you that opinion of Mr. Pratt as to think he would bring a charge against Dr. Hutchison, knowing it to be false?—No; but there was a misunderstanding; if I had known him to be a person in the habit of being intoxicated, I should have said, why that person must be drunk, or half drunk, but I never thought of any thing of the kind; I was not examined on the subject by the committee.

Mr. Courtenay spoke to you about it?—Yes; I said I observed that irritability about him.

You were an army chaplain?—Yes, I was for eight years.

Mrs. Ann Cowsey, called in; and Examined.

*Mrs.
Ann Cowsey.*

YOU are a nurse at the Penitentiary?—Yes.

How long have you been there?—From the commencement of it.

Were you present at the time that Mary Turner died?—Yes.

Were you present when Dr. Hutchison and Mr. Pratt first came to see her, on the evening of the 19th May, when she died?—I was.

Can you relate to the Committee what passed when they came into the room, or did they come in together?—They came in together.

Was any body else in the room besides you and Dr. Hutchison, and Mr. Pratt?—The women.

What women?—Jane Beaumont and Elizabeth Collison were in the next bed.

Any other prisoner?—Mary Ann Butcher.

Any other?—Sarah Mitchell and Rosina Pennington.

Was it in one of the large rooms, or one of the small ones?—One of the rooms adjoining mine, on the left in going into my room, in Pentagon 4.

Do you recollect whether Dr. Hutchison and Mr. Pratt came in together?—Yes, they certainly did.

Was

Was Mr. Bennett in the room at the time?—He came in afterwards.

Was he in at the time?—I think he came in almost immediately afterwards; no, before.

They came in before Mr. Bennett?—Yes.

Can you state what they did or said when they came in?—Jane Beaumont was on one side of the bed; Dr. Hutchison and Mr. Pratt came round there, and Dr. Hutchison patted Mary Turner on the bowels and told her to keep her spirits up: I think, to the best of my knowledge, Mr. Pratt said something about *mortis*.

You told Mr. Courtenay they used some Latin words?—Yes.

What passed afterwards?—Doctor Hutchison ordered her a bath; I made answer, it was near upon the close of the women going to bed, and I said, I was afraid there was not water in the general kitchen to supply the bath; Dr. Hutchison immediately said, you must get the kettles and put on; I said, Dr. Hutchison has ordered a warm bath, I am sure she will die, nobody shall put her in but myself; I was attached to her.

Did you observe any thing particular in the manner of Doctor Hutchison?—I thought he was hasty over her, knowing that she would die, because she had every appearance about her, by the blackness of her hands and arms, and the shortness of her breath.

Have you ever said to any body, you thought Doctor Hutchison was otherwise than sober?—I have said that Collison said, as soon as Doctor Hutchison had gone, Doctor Hutchison would not have done so, if he had not had too much wine.

Did your own observations tend to confirm that, or contradict it?—I did not encourage it.

Was it your observation?—Upon my own observation; I smelt it.

Did you conceive he was affected with wine?—It appeared to me so, hitting her or her bowels; he acted very different in the morning.

Did it appear to you, that he handled her roughly in the course of the evening?—Yes.

Did you mention it?—Yes.

To whom?—To Mrs. Barnacle.

Any body else?—The matron.

Was Mrs. Barnacle present at the time?—Yes, she was in the passage.

Did you make that observation then, being in the room, or go into the passage?—I went into the passage; I was so hurt with the child, I thought her dying, and I could not bear the idea of her going into a bath, but it was not my business.

Did you ever see Doctor Hutchison at any other evening when you had a notion he was not sober?—His manner was very different in the evening, from what it was in the morning.

Was there any conversation among the women, except what you heard Collison say to the same effect?—I have heard the women buzzing and talking, and I have always turned off and not given any encouragement; they said, that the Doctor had said so much about his night-caps.

What did that mean?—Finding fault with them as to their looks, and so on.

What observation has Doctor Hutchison ever made about the night-caps?—That they were not the right kind of night-caps they should have.

In what way, medically?—No frills to them.

Was not it, that they were dirty?—No, that could not be, I never allowed that.

Was there never any complaints about the night-caps being dirty?—No, I never heard it.

Did Doctor Hutchison ever make any complaint of it?—I never allowed them to wear them dirty.

Were the women told they should wear frills to them?—Yes; sometimes they had caps with frills to them, and sometimes not.

Were you there when Mr. Bennett read prayers?—Yes.

Had Dr. Hutchison and Mr. Pratt been in before?—Yes; Mr. Pratt then went for the blister and the medicine.

Was the bath ordered before Mr. Bennett came in, or afterwards?—Before Mr. Bennett came; because the matron and Mr. Bennett went into my room during the time that Dr. Hutchison prescribed.

Have you ever had occasion to reprove any of the women for such observations as you here stated?—I have Collison, and some of the other women.

On that night?—Yes.

Never afterwards?—No.

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Are you sure the warm bath was ordered for that girl?—Yes.

Was Ann Shorter on your side?—No, on Mrs. Barnacle's side.

Have you had any conversation with any person, and if so, with whom, on the subject on which you appear to be examined here to-day, in the last week?—No.

No person whatever?—No.

Mr. Pratt?—No.

How did you know on what subject you were to be examined to-day?—I did not know what I was to be asked.

Nor the subject?—No.

Did you communicate to any body you had smelt Dr. Hutchison of wine that evening?—I did to Mrs. Barnacle and to the matron.

To any body else did you communicate it?—Yes.

When the warm bath was ordered for that girl, did the women express surprize or not?—Yes, they did; Jane Beaumont attended the child, and I desired her not to leave her the whole day, and she knew she was dying.

She knew of the order being given?—Yes.

They expressed surprize at the order?—Yes.

Who gave the last medicine to her?—Dr. Hutchison.

Who administered the blister?—I did myself; half of one on the stomach.

Do you remember that the blister was ordered after the bath?—No, all at the same time; Mr. Bennett came in while I was putting it on.

You have criticised the words of Dr. Hutchison upon that occasion; as you appear to have great feeling for Mary Turner, do you think you might have felt any transaction that did not come up to your notion of tenderness towards her?—Just as I spoke was the truth as it was, I really spoke as I felt, and I think was the fact.

You mean to say, that no tenderness towards Mary Turner made you think that Dr. Hutchison was more hasty than usual?—No, I considered him much about the same as usual.

As his ordinary mode of proceeding?—Yes; I thought the child was dying, and I said, if the child was to go into the bath, I would put her in, in case she should die, and drop from their arms; that was my idea.

You have also stated, that Elizabeth Collison said, that Dr. Hutchison smelt of wine?—Yes, she did.

Do you not from your knowledge as a nurse, and having been so long with sick people, and consulted patients; do you not know they are more sensible to smells of all descriptions, than any other class of people?—The woman was very close to the bed; she did say that, and I made answer to her and said, after gentlemen have taken their dinner it is very general to take wine; and I desired her not to mention it any more; I thought it my duty to check any thing of the kind being said.

Are you certain that no complaints were ever made somewhat about that period, in June or July 1822, relative to the dirty night-caps?—There is in general some complaint or other about caps; at one time, when Dr. Hutchison came in late in the evening, I would say, "Come women," and they would hurry off their day-caps, for fear of being found fault with.

Was not Dr. Hutchison very particular about the dress that was worn in the infirmary, and about the making of the beds, to prevent people lying down upon the beds in the morning; and was he not very strict in enforcing those regulations?—Yes; and many people who are very poorly, and who felt as if they could have got up in the morning, would have been glad if they could have laid down in the morning; they could not get up, it was my duty to fulfil the directions of the medical gentleman.

Of course, Dr. Hutchison, if he found his orders not obeyed, was angry, either with you, or the women who had not obeyed them?—Yes.

Did he ever speak to you as to your own neglect, in not keeping the legs of one of the patients clean?—That might have been the case; I have always been particular to see that the women have all their feet and legs clean; I will not say but he might have met with one, but in the general way their feet have been clean.

Is this statement correct as applicable to you, he says, "I have found patients sleeping in night-caps they had brought up from their cells, and worn the whole week, consequently very dirty; and lastly, the exceedingly filthy state I lately found a patient's legs in, a day or two prior to dissolution, for which the nurse felt the greatest shame and contrition, saying, it should not occur again;" were you the woman that applied to?—I am; I think it was a woman of the name of Parker.

Did

Did you see Dr. Hutchison kneel down, when Mr. Bennett said prayers over Mary Turner?—Yes.

Did you see him get up from his knees?—Not particularly; I did not notice that. I kneeled down at one end of the bed; I think the middle of the bed, on the side, with my face to Mary Turner.

At what time did this take place, about the dirty legs of the patients?—It must have been towards the middle of last summer.

Before or after the death of Mary Turner?—It must have been after; she died in the year 1822; I think it was after.

Had you any reason to believe, before the death of Mary Turner, that Dr. Hutchison was dissatisfied with you?—At times.

The Committee clearly understand you to state, that previously to your coming into this room you did not know of the subject you were to be examined upon; and that you have not had any conversation with any body in the last week?—No.

Did you ever see anything in Dr. Hutchison's manner that would have led you to remark it, if it had not been remarked to you?—Yes, in the general way, finding fault with handkerchiefs and things of that kind; I was told to keep the women particularly clean.

You did not attribute that to his having taken too much wine?—I always found him much pleasanter, if he attended in the morning than after three o'clock in the afternoon.

Did you ever tell any body so, that you found him pleasanter in the morning than the afternoon?—Only to the matron; I was flurried before the women.

You say you have found Dr. Hutchison pleasanter before three o'clock than after; did you ever say so to any body?—Yes, to Mrs. Barnacle.

Who else have you said so to?—To the matron.

To any body else; to any of the gentlemen of the committee?—No.

Or to the chaplain?—I dare say I have to the chaplain.

Have you frequently said so to the chaplain, to impress that upon his mind?—Yes, I have named it to the chaplain.

Are you quite certain you have never said any thing to Mr. Holford or Mr. Courtenay about it?—I think I have to Mr. Courtenay.

You have stated, you never had any conversation with any body about what you were to be examined upon in this last week; was there no notion in the Penitentiary, that any part of the examination was to touch the character of Dr. Hutchison?—No; I have heard Mr. Courtenay say, a time back, all about it; he never told me I was to come here; and I did not know I was to come till last Friday.

You knew you could be sent for here upon no other business than that?—I had no idea of anything else but that.

When you mentioned to some body in the prison the remark of Dr. Hutchison about the women's frills, you remarked it as a piece of lighter conversation than he was generally in the habit of using?—Yes.

And you were surprized at it?—Yes.

Before the prisoners?—Yes.

Mrs. Lucy Barnacle, called in; and Examined.

YOU are a nurse at the Penitentiary?—Yes.

How long have you been so?—Seven years last Tuesday.

By whom were you recommended?—Mr. Morton Pitt.

How long did you live in his family?—Eight years.

Were you in the infirmary on the night on which Mary Turner died?—Yes.

Were you with her at the time she died?—I did not see her die, I was outside the door at the last moments.

Will you relate, as nearly as you can, what you know of the transactions immediately before her death?—I was with her and Mrs. Cowsey, we thought she could not live long, and Mrs. Cowsey said, we had better go and call the matron, and it was Mary Turner's request to see Mr. Bennett; I told the matron that she wanted to see Mr. Bennett, and she said she would call him.

Were you in the infirmary when Doctor Hutchison and Mr. Pratt came in?—When I came back they were in the room.

Did you hear any direction given by Dr. Hutchison to Mr. Pratt?—Yes, he ordered a blister and a bottle of medicine, and Mr. Pratt seemed very much agitated when he came out of the room.

*Mrs.
Ann Cowsey.*

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*Mrs.
Lucy Barnacle.*

*Mrs.
Lucy Barnacle.*

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Was any thing said by any body about a bath?—Dr. Hutchison ordered a bath, I was the person that ordered my ward's woman to order the bath, but the steam was off, there was no water.

Did you take the order from Dr. Hutchison?—No; I took it at the door.

Who did he give it to?—Mrs. Cowsey; she told me they wanted a bath, and I told the ward's woman, but there was no water, and he ordered the tea kettles to be put on.

Did you see the medicine administered?—I did not; I saw the blister cut in two and carried into the room.

Did you hear any observations made by any body concerning Dr. Hutchison?—Yes; Mrs. Cowsey came and said, "Dr. Hutchison is patting that little girl about " and I cannot bear it," she was crying, and Mr. Bennett said, if she was going in the bath he would go to prayers first; he went to prayers, and Dr. Hutchison knelt down at the side of the bed, I did not see the medicine given, I was not in the room.

Did you see any thing in Dr. Hutchison's behaviour that attracted your observation?—Yes; we fancied he was not as he used to be in the morning.

What did he do, what was there from which you drew that conclusion?—He seemed queer, I cannot say what was the matter with him, he did not seem as at other times.

Was he more irritable than at other times?—Yes.

Did he find fault?—No, he did not find fault.

Was he hurried in his manner?—Rather so.

Was he different on that night from other nights?—I thought so; we said so one to another.

Was any observation made by any of the prisoners?—Not that night; I was not in the room; there was something said on my side.

On that evening?—No, another day.

What was mentioned?—A woman of the name of Hurst said he smelt of liquor enough to knock any body down, and a woman of the name of Byle said, "he is " so full of his night caps he has not looked at my blister at all." Hurst is dead.

Did your own observation agree with the prisoners?—I could not go to disclose to the prisoners what I thought; I mentioned it to Mr. Bennett, and he scolded at one of the women, but not the right one.

What was Dr. Hutchison's manner that night that struck you?—He went from bed to bed, and ordered frills to their night caps on one side, and on the other not; quite different from what he used to be.

Was not he in the habit of looking at the night caps of the women to see whether they were clean or dirty?—Yes.

Did he not complain when they were dirty?—Not in my hearing; one side had frills to their night caps and the other not; he wanted to know the reason; I said some had their night caps and some day caps; he ordered frills to them all, and I said the matron had enough to do to get the frills to their day caps, and I did not know whether she could do it to the night caps, but I would ask her.

Was not he very particular in the infirmary as to their dress, that they should be clean and comfortable, and tidy, and all alike?—Yes, he was.

Of course he must have scolded very often, when he found things not right?—I do not know; he never scolded me; he only said what I have repeated.

Did he ever find fault with any thing that happened to your ward?—Yes, he did once; he found a woman's leg dirty in my ward, which was very wrong, and he said if he saw it on Mrs. Cowsey's side he would have her before the committee; he said he would be damned if he would not work them both, both Mr. Pratt and Mrs. Cowsey.

Was this in the evening, or the morning?—In the morning, I think, about the middle of the day.

About what o'clock?—I cannot say.

It was not at night?—No.

It was before six o'clock?—Yes.

What conversation have you and Mrs. Cowsey had upon this subject, before you came into this room?—I have not seen Mrs. Cowsey, except to day, I am away from her.

Where have you been?—I have been in the infirmary.

Did you upon the whole consider that Dr. Hutchison was attentive and humane
to

to the patients under his charge?—The prisoners seemed very much agitated when he came in at times.

When he scolded in the wards, was not it because the things were not in order?—No; they would run from one side to the other, and say, "Here is Dr. Hutchison coming."

Do you mean that there was any impression among the prisoners, that Dr. Hutchison was in an unfit state?—No further than what I have been told.

Did you communicate it to any body but Mr. Bennett the chaplain; did you tell any of the committee, or any of the gentlemen about it?—I do not recollect.

You have stated, that Dr. Hutchison speaks now and then sharply; is it ever necessary to speak sharply to the prisoners, when they do not obey any orders you may give them?—I have been obliged to do it; I have talked to them, and reasoned with them.

You were never put past your temper?—No, I believe not.

After this business happened, upon which you were asked different questions, in June, did not Dr. Hutchison express a wish, you would go to him at his house?—Yes.

What for?—I do not know. He said, "Mr. Pitt was very glad I had nothing to do with that affair;" I said, "What affair?" and he said, "Mary Turner." He said, "Do you ever go out?" I said, "Yes, sometimes." "Call upon me," he says, "when you go out, I want to speak to you; do not you tell of it."

Did you go?—No.

Why did not you?—I had no acquaintance with Dr. Hutchison; I had nothing to say to him but about my business.

Did he ever ask you afterwards, why you did not call?—Yes.

What reason did you give?—I never gave him any reason; I never said I would or not.

Did you ever mention it to any body?—Yes; to Mr. Bennett and the matron, and they advised me not to go.

Did you mention it to any of the visitors of the committee?—Yes, to Mr. Holford.

Did Dr. Hutchison, prior to the month of June, advise you occasionally to go out of the Penitentiary, by way of exercise?—I cannot say whether he did.

About the time that Mrs. Morton Pitt was brought to bed?—I cannot say he did.

Did he ever say, if you went out you might call and rest yourself at his house?—No, he never did; you may rely upon it I would not tell a falsehood; he never did.

Did you tell Dr. Hutchison, after he had spoken to you about this business of June, that you knew nothing at all about it; that you were not in the business?—I never did; I never had any conversation with Dr. Hutchison; I always shunned it; I never even told Mrs. Cowsey about it.

You had no conversation with Dr. Hutchison upon the subject?—Never, upon any point whatever.

Did Dr. Hutchison ever tell you, he was glad you had nothing to do with this business?—He said, Mr. Pitt was glad I had nothing to do with it.

What answer did you make?—I made no answer to him.

You went away without saying any thing?—Yes, I did; I asked him what, and he said concerning Mary Turner.

To that you made no answer?—I did not.

You lived eight years in Mr. Pitt's family?—I did.

In what capacity?—Laundry maid.

And he recommended you to the Penitentiary?—Yes; and my husband lived there sixteen or seventeen years; we married in the family, and he died there.

What was the cause of your being so coy with Dr. Hutchison?—I was always very cautious; I was never called upon by the committee; I was told by Mr. Pitt to keep myself to myself, and I looked upon Mr. Pitt as a great friend to myself and my husband, and I have always done my duty, I hope, and never meddled with another person's business.

You have mentioned that the prisoners appeared agitated when Dr. Hutchison's coming was announced; did they appear to be so when Mr. Pratt was announced?—No.

Did not the prisoners appear to be of better behaviour when you announced yourself?—No; my apartment is very close to the infirmary; I am always in my room, and we always make it a rule to be one of us in the infirmary, and I have never had hardly to tell them to be quiet but they have obeyed my orders.

*Mrs.
Lucy Barnacle.*

(June 23.)

Suppose Mr. Courtenay, or any of the visitors had been announced, would you not observe some difference in their behaviour?—No, never; I do not think it my duty.

Who directed you to come here?—The governor, or the matron; the coach was ordered.

Did she tell you upon what subject you were to be examined?—No; I did not know it myself.

George P. Holford, Esq. a Member of the Committee, Examined.

*G. P. Holford,
Esq.*

YOU have heard what the last witness said about being desired by Dr. Hutchison to come to his house; did she make any communication to you of that fact, and what?—She did once or twice, last summer, mention to me that Dr. Hutchison had desired her to get leave from the matron to call upon him, and she intimated great apprehension; she thought he wanted to talk to her upon this subject, and she expressed great unwillingness to go, and rather advised with me as to what she should say; I told her, if she chose to go I did not know there was any objection to it, but if she felt unwilling to go, and was unhappy on the subject, she might say she had mentioned it to me, and I thought she might as well not go; but I never understood that Dr. Hutchison had spoken to her again upon the subject.

Was not she recommended by Mr. Pitt to her situation?—She was, I believe.

Mr. Pitt was a great friend of Dr. Hutchison?—He was.

Do you think it at all unnatural that Dr. Hutchison, knowing the charge that had been made against him, might have been anxious to have learned from this witness what she knew of it, knowing also that she was present?—I do not think that at all unlikely, but I see no reason why he might not have had the conversation with her in her own room, as well as at his house.

Of course Dr. Hutchison must have been the best judge of where he would have liked to have talked to her?—Yes, of course.

You say Mrs. Barnacle told you that Dr. Hutchison wanted to speak to her upon this subject?—No; that he wanted to speak to her, and she supposed upon this subject.

Had there been any conversation between you and Mrs. Barnacle upon this subject?—I think not at this time; it was much talked of at the Penitentiary, and I have no doubt I talked to her afterwards upon the subject; I endeavoured to form an opinion upon the subject by conversing with the officers of the establishment; she is a timid woman, and she appeared to be under some apprehension, I could not understand; I merely mention these facts to confirm the evidence of the woman, because she may have been mistaken, but I do not think she would wilfully tell a falsehood.

Mrs. Elizabeth Wilkinson, called in; and Examined.

*Mrs.
E. Wilkinson.*

DO you recollect the death of Mary Turner?—Yes.

Were you in the infirmary at the time that Dr. Hutchison and Mr. Pratt came in?—They were there before me; the nurse came down to inform me she was much worse.

Did you go up in consequence?—Yes; and as Mary Turner wanted to see Mr. Bennett, I went to Mr. Bennett, and we went down together.

Did you find Mr. Pratt and Dr. Hutchison there when you came there?—Yes, I found them both there.

In what part of the infirmary did you find them?—In the room where Mary Turner was.

Were you present when any directions were given?—Yes.

What directions were given in your presence?—A bath was ordered, and a blister and some medicine.

Were those things ordered in the room in which the patient was?—Yes.

Was Mr. Bennett then present?—Yes, he was present at the time.

What passed afterwards; was the bath prepared?—Mrs. Barnacle went to inquire, and she found the steam was off; there was no hot water in the kitchen; Dr. Hutchison then ordered the tea-kettles to be put on the fire.

Was the blister put on?—Yes.

Who applied it?—I think Mrs. Cowsey.

Was the medicine administered?—Yes.

By whom?—Dr. Hutchison himself.

Was

Was there any thing in Dr. Hutchison's manner to lead you to make any particular observation?—Yes.

Were any observations made upon that by yourself, or others in your presence?—By the nurse, Mrs. Cowsey.

What did she say?—She met me in the passage, crying very much; and she laid her hand upon Mrs. Barnacle's arm, and said, "I cannot stay in the room any longer; Dr. Hutchison is pulling that poor child about."

Did she say any thing more?—No, not then.

Were any observations made by any body else?—Yes, I think, by Mrs. Barnacle.

What did she say?—Something about that she wished Dr. Hutchison would come in the morning.

Did you make any observation yourself?—That I thought Dr. Hutchison was a little irritated; I thought there was a difference in his manner in the evening from the morning; I never saw him much in the evening.

Did you attribute that to any particular cause?—From having heard some remarks, I certainly did.

What were those remarks?—They were in general from the nurses what I heard.

Were they their own observations, or the observations of the prisoners?—The observations of the nurses to the prisoners, and the prisoners to the nurses.

Did your observation lead you to confirm those of the nurses and prisoners?—I cannot say but what it did.

What was that conclusion you formed?—The conclusion I formed was, that Dr. Hutchison had taken too much wine.

Did you ever see any thing, on any other evening, to lead you to form such conclusion?—I was in the habit of seeing him more in the morning than the evening; I have met him there.

Had you any previous quarrel with Dr. Hutchison?—Not the least that I know of.

Had he often complained to you of the nurses?—No; I had only one complaint, and that was respecting the washing of the passages.

Was that before Mary Turner's death?—Afterwards.

Were you present when Mr. Bennett began to read prayers?—Mr. Bennett said he would rather read the prayers before she was put in the bath than afterwards; I was present.

Was any remonstrance made by any body to the bath?—Yes, I did; I said I thought she was so near her death, it was a pity to disturb her.

What was there in Dr. Hutchison's manner, on that night, which excited your attention; describe it, if you can; what was his appearance?—There was a kind of irritation in his appearance, and, I thought, an inconsistency.

Did he speak sharply?—Rather in a hurried manner.

Like a person agitated and distressed?—Yes; it was a kind of agitation.

Was he in low spirits?—I did not see it.

Not depressed?—No.

Was he elated and gay?—No, not particularly elated; he did not act as I have seen him at other times.

He was agitated and hurried?—Yes.

Have you ever seen him angry in a morning?—No, I do not recollect that I have.

Did you ever hear him scold any one?—Not to my knowledge; I have heard him make little remarks to the prisoners, but not in a scolding way.

You cannot say, whether his manner that evening, was like his manner any other evening?—No very different.

In what particulars?—There was an inconsistency in his manner, even in his conduct towards Mary Turner.

Did he feel her chest and her stomach?—I was not in the room when that was done, but the nurse told me.

Do you not think, that nurse Cowsey being attached to the child, might have considered Dr. Hutchison's manner as harsh to the child, when he was only doing what a physician might do, seeing whether there was any thing lodged in the cavities of the chest, feeling that that was essential?—No, I do not consider that, because Mrs. Cowsey had seen so many patients; I do not think that at all.

Mrs.
E. Wilkinson.

(June 23.)

Mrs.
E. Wilkinson.

(June 23.)

Did Dr. Hutchison support the child when he gave her the medicine?—I think one of the nurses or one of the prisoners assisted him.

Did he raise her up?—Yes.

Was he kind in his manner to the child when you saw him?—He desired her to take the draught.

Was he kind to her?—I cannot say exactly kind.

Is his manner to prisoners that are sick, authoritative and imposing, calling upon them to do this or that?—Yes.

That is his usual manner?—Yes, to some of them; they were under fear of him I know.

He kept very good order in the infirmary?—Yes, I believe so; I had no complaints from the infirmary, and I have not now.

Did you find fault with any of the female prisoners for remarks made on Dr. Hutchison's manner and conduct that evening?—No, I never mentioned it to them.

Did you ever scold any of them for the remarks they made?—No, I did not scold any of them; I heard they did make remarks to the nurses.

Did you know of any conversation that at any time took place between Dr. Hutchison and the prisoners, as to their night caps?—I was not present; I heard it from the prisoners, that they were to have night caps with borders to them, frilled night caps.

Was there any thing remarkable in his saying that?—The prisoners said as I should hear, I did not hear it; that in the morning Dr. Hutchison was all very well, but in the evening he could talk of nothing else but frilled night caps, he was so full of his wine.

Have you communicated to any body your opinion, that Dr. Hutchison had had too much wine on that night?—No, I do not know that I have particularly.

Did you tell it to Mr. Bennett?—Yes, I believe, I might mention it to him.

To Mr. Holford? No, I do not know; I recollect I mentioned the great inconsistency in his behaviour, and I might mention that he had taken too much wine.

To Mr. Holford?—I am not sure.

You think you might have mentioned it to Mr. Bennett?—Yes, I think we spoke of it; he was present at the time.

What answer did Mr. Bennett give you?—I do not think he gave me any answer; I said that he was very inconsistent in his manner, and appeared very strange.

Is it necessary to assume an authoritative tone in giving orders for the taking of nauseous medicine, or submitting to an operation?—Very seldom.

Do you find it necessary in your department, to speak in an angry tone in the discharge of your duty?—I sometimes do reprove them; but I do it in a mild tone.

You have represented the inconsistencies of Dr. Hutchison, but you have not described them, favour the Committee with a few of them?—I have described them as far as lay in my power.

The Committee would consider it an inconsistency, first ordering a blister, and then directing the blister not to be made, to order a bath and then to contradict it?—Those were the inconsistencies, they were very great inconsistencies.

Was that done?—The blister was applied, but the bath was not; the girl died ten minutes after.

There was no water hot?—No; but the kettles were ordered to be put on the fire.

Then if the girl died in that time, there was no occasion to put the kettles on?—But she was not to be put in the bath; he said that before he left the room; but the blister was to be put on; and after he had gone ten minutes, the girl was dead.

The only inconsistency is, that the bath was contradicted because there was no hot water?—No; I did not say that; the water was on the fire to make hot; why he ordered her not to go in I cannot say.

Did you hear that the doctor contradicted his prescription after he had given it, and ordered another mixture?—No, I do not recollect that.

Is it not very usual to order hot water to put patient's feet in, when they are dangerously ill?—I have never seen them put in hot water when so near death as that.

How long have you been there?—Seven years.

Who recommended you?—Mr. Litchfield.

What situation were you in before?—Not any situation.

How are your poor people to-day?—Considerably better; much better.

Sir Gilbert Blane, Bart. further Examined.

IS it not a very usual practice, to order a blister in consumption?—Very common. At whatever period of the disease?—At any and every period of the disease.

Would a draught, composed of camphor, a few drops of æther, and a few grains of aromatic confection, be considered an improper medicine to be exhibited to a person labouring under that disease in the last stage?—I should think it a very proper application in a state of great debility and languor, whether in that disease or any other.

Is not an abscess likely suddenly to give way in the lungs, and cause immediate death, in that disease?—It is a very frequent termination of a consumption, to be suffocated by the sudden bursting of an abscess.

Where the breathing is difficult, is it not usual to sound the chest with the fingers, on the opposite sides, to ascertain whether there be effusions or matter in either cavity?—This is a matter which is very common in this country, in consequence of the discovery, or supposed discovery, of a French physician, who has pointed out a method by sounding, by gently striking the breast, of ascertaining what are the morbid contents of it. Might I be permitted just to state to the Committee, that it is the practice among all regular and well educated physicians, that even in cases of extremity, we consider ourselves bound to order something, as a medicine for the mind of the patient more than the body; because, we apprehend, from the great uncertainty of life, nobody can pronounce to the day or the hour when death may happen; but in the most hopeless case, it is never our practice to cease from prescribing for the patient, for fear of throwing the patient into the horrors of despair. We never cease to order something; it may be as harmless as possible, and nothing could be more harmless in a case of this kind than a gentle draught; and the blister did afford some chance of relieving the breathing, because in the last extremity of a consumption, the anguish proceeds from the difficulty of breathing; the blister was therefore very likely to give relief.

Not as a specific or cure, but in the nature of relief?—Yes. In speaking of Dr. Hutchison's character, I omitted to mention that he was a respectable author, and has written upon several diseases. Some of his tracts are much esteemed, particularly a tract regarding stone and gravel; and also another, relating to amputations in battles by sea and land, in which he has settled a very problematical point, at what time the amputation should be performed. I ought also to mention, that, of all the numerous medical officers I have known in my practice, which has been as extensive as any one's, I never knew one possessing greater humanity than Dr. Hutchison; insomuch that, at Deal hospital, he has been in the habit of going without his night's rest, to attend on a single seaman.

You having mentioned the efficacy of a blister, and the cardiac draught; have you ever known a warm bath prescribed or administered to a patient so near death, in a case of consumption, as within a quarter of an hour?—That is supposing I or any body knew it should happen in a quarter of an hour; the question is not intelligible upon that ground.

Under the circumstances stated, would you have administered the bath?—I should not, nor do I think that any judicious physician would have administered it; but I know in all cases there is a diversity of medical opinion, and there are medical men who might have ordered it. I remember, thirty or forty years ago, in consultation with Dr. Jebb, a celebrated man in his day, he proposed it in a case something like this; so that it is not a practice reprobated by the whole profession.

Particularly where the extremities are become cold?—I dare say it was with a view to recal active circulation.

Sir William Hope, a Member of the Committee, made the following Statement:

Dr. Hutchison was originally recommended by me when I was at the board of Admiralty in 1808, to be the surgeon of the marine corps; soon afterwards a vacancy took place for the surgeon of Deal hospital. I had heard so good an account of him, and my opinion was so favourable of his conduct while in the marines, that I thought it my duty then to call Lord Mulgrave's attention, who was first Lord of the Admiralty, to his merits; and in consequence of that he was appointed surgeon to Deal hospital. At the peace, of course, when that hospital

*Sir G. Blane,
Bart.*

(June 23.)

Sir W. Hope.

Sir W. Hope.

(June 23.)

was broken up, he was put upon half-pay. Soon after I came to the Admiralty, in the year 1820, again there was a vacancy happened for the head surgeon of Haslar hospital. Dr. Hutchison's conduct had been altogether so proper, for, though I had not been in the habit of seeing Dr. Hutchison, I had heard much of him; I considered it my duty to recal Lord Melville's attention to him without his knowledge, and recommended him to fill the situation as first surgeon of Haslar hospital; which situation is worth, I believe, five hundred pounds a year, besides a house and other things belonging to that situation. Dr. Hutchison in consequence received an official letter, telling him he was appointed to that situation; he came to me, thinking perhaps as I had befriended him before, I might have been instrumental in getting him the appointment. He then told me, that he was medical superintendent of the Penitentiary, with a salary of two hundred pounds a year, which, with his half-pay and his increasing practice, he thought was equal, and would ultimately be better than his situation of surgeon to Haslar hospital. He requested me, as a favour, that I would ask Lord Melville to cancel the appointment; consequently he did, on the faith of this situation, and his practice increasing from his good character, give up this five hundred pounds a year, and his naval services, you may say, for ever.

Edward Goulburn, Esq. called in; and Examined.

*E. Goulburn,
Esq.*

HOW long have you known Dr. Hutchison?—Twenty-two years; during the early part of that period extremely intimately, having been four or five years on board the same ship with him, latterly during the period he was in the naval hospital at Deal, my profession being that of the bar, I have not had the same opportunities of seeing him, but of late years I have renewed my former intimacy, for five or six years.

Have you constantly been in the habit of seeing him?—Yes, very often.

How often?—I was always glad to see him, and I flatter myself he me.

Have you ever dined with him?—Yes, often.

What are his habits?—Temperate in the extreme; I do not remember, all the time I have known him, to have once seen him, I will not say in a state of intoxication, but approaching to it; I know his habits are most temperate; I can only say in addition, that if I was to fix upon any trait in his character that is more remarkable than another, it would be his good temper and kindness to all; I knew him to be particularly humane to the seamen.

Is he not a person of an anxious mind, and when any thing irritates that mind, showing it very strongly?—Yes, there is that; being brought up at sea he feels quickly any attack upon his honour, and feeling quickly he expresses himself strongly.

Is he not a person who has an anxious and hurried irritable manner?—Yes, and that is rather increased in consequence of having lost his front teeth, which gives an indistinctness to his articulation, which to a person unacquainted with that circumstance, might give him a different appearance; I never saw him in a state approaching to intoxication, and I believe him to be one of the best tempered men.

Have you seen him much in the evening of late years?—Not much in the evening; I am generally at my chambers.

Whenever you have seen him, you never saw any thing approaching to intoxication?—No, I have not; and if he had been at all addicted to that in the course of our first acquaintance, I must have heard of it, which I never did.

George P. Holford, Esq. further Examined.

*George P. Holford,
Esq.*

HAVE you ever had an opportunity of seeing Dr. Hutchison in his afternoon attendances at the Penitentiary?—I do not know that I was ever with him in the infirmary, but I have seen him at the Penitentiary, and I can say I have never seen any thing that could induce me to suppose he was addicted to intoxication, or tending to confirm what I have heard to day from the officers of the Penitentiary.

The Honourable Henry Grey Bennet, a Member of the Committee, made the following Statement:

*Hon.
H. G. Bennet.*

I THINK it but fair to state of Dr. Hutchison, that perhaps there is hardly any one that sees so many persons discharged from the Penitentiary as I do, and have done for many years, and I have uniformly asked them, long antecedent to any business of this kind, in what manner the different officers of the Penitentiary conducted themselves towards them; and I have uniformly found, that they spoke of
Dr. Hutchison

Dr. Hutchison with gratitude and kindness. A little boy, in whose fate I was deeply interested, who died about six weeks ago, spoke to me on his death-bed, and on several days before, of Dr. Hutchison's uniform kindness to him, he spoke of him with the affection of a child to his parent. Dr. Hutchison constantly attended him unsolicited and unknown to me, after he was discharged from the establishment. While he was ill, one morning a boy by the name of W. was at my house asking me to recommend him to work, which I did; Dr. Hutchison came into the room, and I turned round to him and said, "you know that gentleman," the answer of the boy was, his eyes glistening, "yes, Sir, I do, he has always been most kind and attentive to me."

Hon.
H. G. Bennett.

(June 23.)

John Finlaison, Esq. called in; and Examined.

HAVE you long known Dr. Hutchison?—Seven years, intimately.

J. Finlaison,
Esq.

Have you seen him much in the afternoon?—It was, I may say, always in the afternoon that I have seen him.

What are his habits?—Extremely sober. He could not be well otherwise, without my seeing it. I have generally had the pleasure of seeing him of an evening, once or twice a-week; he has usually called upon me, and always finding me at home about seven or eight o'clock. I have no conception that it is possible for him to have indulged in habits of inebriety, without my having observed it.

Have you ever seen him in a state of ebriety, like a person who has drank too much wine?—Never, nor any thing approaching to it.

Is he in the habit of attending philosophical societies, and taking a part in them?—He is: I have seen him there.

I need not ask you, whether a person in a state of intoxication, is calculated to take a part in the proceedings of those societies?—Certainly not; he could not have that habit without my seeing it, for we are upon terms of the greatest intimacy. There is not a week passes without my seeing him two or three times, and mostly in the evening, as my official duties occupy me in the day time. I beg to say, I have frequently dined with him, and have seen him always take less wine than is usual, certainly less than myself; his quantity of wine is generally less than is usually taken by any one; I was very much with Dr. Hutchison at the time that the business last summer occurred; I was myself in the house, not at the moment that Sir Gilbert Blane and Dr. Granville came, but anxiously waiting for their coming all that day, and I know his extreme anxiety for the inquiry, his uniform denial of what was alleged, and the great disappointment of himself and his family, when he found the investigation was not to be gone into.

Martis, 24^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Mr. Frederick Fownes was called in; and Examined.

[*A letter was produced by Dr. Hutchison, and handed to the witness.*]

IS that your brother-in-law's hand-writing?—Yes.

Dr. Hutchison attended your brother-in-law's family?—Yes.

He had a child ill during the period mentioned in this letter?—Yes.

Do you remember his attending that child on the 19th of May?—Perfectly.

Do you recollect his attending him in the evening?—Yes.

Can you name any particular hour at which he attended?—At nine o'clock in the evening.

Is there any thing particular that leads you to recollect that particular day and hour?—Yes; on that day I went down to Mr. Turner's mother at Walthamstow; and in the evening I met Dr. Hutchison at our house, at nine that evening.

You say you met Dr. Hutchison; did you see him yourself?—Yes.

Was he in a state of sobriety?—Quite so.

Had you, or any of your brother's family, the least suspicion he was otherwise?—No.

Where does your brother live?—In the Haymarket.

Dr. Hutchison has attended your brother's family since?—Yes.

Mr.
Frederick Fownes.

(June 24.)

Roderick McLeod, M. D. called in; and Examined.

Dr. McLeod.

(June 24.)

YOU are a physician?—Yes.

You belong to the Medical and Chirurgical Society?—I do.

Are you in the habit of meeting Dr. Hutchison there?—I have not attended that society frequently; I have met him there.

Do you belong to any society to which Dr. Hutchison more particularly belongs, of which he is president?—The Westminster Medical Society.

Did you fill any situation there?—I am also one of the presidents.

At what time does it meet?—Eight in the evening.

For how long?—Once every week during the six winter months.

What part does Dr. Hutchison take in that society?—When in the chair, he presides in the usual manner of such societies, in regulating the debates; on other occasions, when he is not in the chair, he has taken a part in the discussion.

Is that a society in which you read papers upon medical and chirurgical subjects, or in the nature of a debating society on medical topics?—It consists of both; the first hour is devoted to discussion on medical subjects; after which a paper is read.

It is almost superfluous to ask you, under those circumstances, whether you ever saw any thing in the appearance of Dr. Hutchison, that would lead you to imagine he had drank too much wine?—I never did, certainly.

Such an appearance would be utterly incompatible with the situation he held, and the discussions you were engaged in?—Yes, it must have been observed.

You never heard any remark made by any other person, or saw any thing yourself?—I never heard any one make such a remark, or observed any thing.

Do you know any thing of the private life of Dr. Hutchison?—I have dined with him, both at public dinners and private.

Was he abstemious and temperate, or the reverse?—I cannot say I ever noticed him particularly as to what he ate and drank; but I never noticed that he was the worse for wine.

Have you ever seen him perform operations in the evening?—No, not operations; I believe I have met him on consultations in the evening, at from eight to ten o'clock.

Of course the Committee need not ask his condition at those moments?—I never saw any thing of the kind.

Robert Milligan Dalzell, Esq. called in; and Examined.

*Robert M. Dalzell,
Esq.*

ARE you a professional man?—No, a merchant.

Have you known Dr. Hutchison long?—Above thirty years, intimately.

Have you lived with him upon habits of domestic intimacy?—He has been with me, and I have been with him frequently, and I lived in his house for months together in the country, and professionally he has visited me.

Should you consider him a temperate person?—Most certainly.

Abstemious?—Rather more so than otherwise; I never saw him guilty of excess in any way.

And that opinion you have formed from an intimate acquaintance of between thirty and forty years?—Yes.

Mr. James Tweedale, called in; and Examined.

*Mr.
James Tweedale.*

WHAT are you?—A surgeon.

Have you long known Dr. Hutchison?—Yes; I have known him since 1811.

Are you accustomed to consult him professionally?—Yes.

Did you, at any time in May 1822, call him in to perform any operation?—In 1822, I called him in to see the case of a fractured thigh bone, which took place on the 18th; I was not altogether satisfied with my own opinion, it being an old woman and very infirm, I called upon Dr. Hutchison the following morning, and requested he would come; and he said he would come in the evening.

Did you see him on the 18th?—Yes.

And on the 19th?—Yes; and he went with me.

What time was it?—In the evening about seven o'clock; we had a candle, she kept a little grocer's shop, and it was rather dark, we had a candle, it was in a back room.

Was it nearer six than seven?—I think it was; it was before I had taken tea, I took tea after I returned home; it was in Long Acre.

Are

Are you certain it was the 19th?—It was the 19th, I am quite certain; because I had been looking at the day book before I came out.

You are certain it was after dinner?—Yes; I am quite certain of it.

Was Dr. Hutchison then in a state of sobriety?—Perfectly.

Did you see any thing in his manner, that led you to think he had been drinking wine?—Nothing at all.

Did he smell of wine?—Not at all.

Do you smell well yourself?—Yes; perfectly.

You did not find out he smelt of wine that night?—I did not.

You say, between six and seven o'clock on the 19th, he attended a patient under your care, who had fractured her thigh?—Yes; the neck of the thigh bone, and it is not well at present; I was not satisfied with my own opinion and I called in Dr. Hutchison; I would also state, that about a month before that, in the evening, I called upon Dr. Hutchison to tie up an artery.

Was that in the evening?—Yes.

Was he perfectly sober?—Yes.

Did he smell of wine?—No; not at all.

Mr. Robert Wade, called in; and Examined.

ARE you an apothecary in Gerrard-street?—Yes.

Are you the apothecary to the Westminster Dispensary?—Yes.

Had you often occasion to see Dr. Hutchison in the evening?—I have been in the habit of calling upon him in the evening, at all hours, for the last three years.

Did you ever see him in a state of inebriety?—Never.

Did you ever find him in a state not of inebriety, but in which his faculties might have been clouded by wine?—I never saw him in a state in which I could have supposed he had taken wine.

Did you ever find him in a state when he smelled of wine?—Never.

Mr. Thomas Walker, called in; and Examined.

WHAT are you?—An army accoutrement maker.

Have you long known Dr. Hutchison?—Ever since he has resided in London; professionally he has attended my family seven years, or more than that.

Has he often attended your family of an evening?—Yes, frequently; he generally comes in an evening, when he visits us morning and evening.

Have you had much illness in your family?—Yes, I have; Mrs. Walker's health is very indifferent.

Have you ever seen him in a state of intoxication?—Never.

If you had, of course you would never have sent for him again?—Certainly not.

Have you ever had reason to suppose he was so?—Never, in the least; I have often seen him in the evening, and never had the least idea of it.

Did you discover he smelled of wine?—No; I have dined with him, and I considered him as taking very little wine, a very abstemious man; he recommends that to all his patients; I should call him a starving Doctor myself, I like to live a little better than he would advise me to do.

[*The following Statement delivered in by Dr. Hutchison, was read, as follows:—*]

"THE Committee having permitted me to submit to them such observations as have occurred to me in relation to that part of the present investigation which comprehends the charge of ebriety preferred against me in June last, I beg leave to state very briefly such particulars only as seem to me the most important to be noticed; humbly laying claim to the indulgence of the Committee for the disadvantage under which I labour at this distance of time, for the difficulty of proving a negative after such an interval, and for the short space allowed me for these comments, which will not indeed admit of my referring to the Minutes of the Evidence given yesterday on the subject of the accusation.

"That accusation as conveyed to me in a letter from the managing committee of the Penitentiary, of the 7th June 1822, consisted in a broad assertion, that the result of a discussion on the death of Mary Turner, had, to their regret and concern, discovered to them that a suspicion was spreading, both among the prisoners and several of those entrusted with the care of them, "that the directions which I give in cases which come under my consideration after dinner, are marked with a haste and precipitation not observable in an earlier part of the day." Those expressions are undoubtedly equivalent to an insinuation, that I had fallen into habits of ebriety, which however qualified in the degree or extent to which that ebriety reached, were of general and frequent recurrence.

*Mr.
James Tweedale.
(June 24.)*

*Mr.
Robert Wade.*

*Mr.
Thomas Walker.*

Dr. Hutchison.

Dr. Hutchison.

(June 24.)

"The same committee, as late as the 17th ultimo, reiterate "that it was a *very grave* charge, that it was at first believed, and is still believed by them to be true."

"The first point, then, to which I would beg to advert, is the complete and total negative which the charge of habitual ebriety has received, not only from the testimony of every witness who has been examined on this subject, and from the testimony of the numerous and most intimate friends of my private hours, but most positively from two of the members of the managing committee, who declare such a charge of habitual ebriety to be *wholly unfounded*, and that no colour existed for the imputation of ebriety at all, except in one single and solitary occasion (namely, the evening of the 19th May 1822, when the child Mary Turner, died,) and even that this solitary instance, was so far from being completely established, that the visitor and committee deliberated for ten days, whether it merited any notice whatsoever.

"Wherefore, the charge, in the shape in which it was first conveyed to me, was evidently, (though unintentionally perhaps) an entire misrepresentation; for it is manifest, that as respects the character of a medical man, the difference is infinite between a charge of habitual, frequent or occasional ebriety, and a charge, that in one single instance, out of a practice of seven years, such a man was supposed to be flurried by wine.

"The general accusation having however been thus completely overthrown, any further remarks are consequently limited to the one particular instance, into the small dimensions of which it now appears, the charge has subsided; and although the lapse of time must have obliterated the recollection of many important circumstances relative to the evening in question, it is very fortunate that enough remains to refute the charge, by a chain of evidence amounting to demonstration.

"It is in evidence, that on that evening I was in the Penitentiary before half-past seven o'clock, Mary Turner having died ten minutes before eight; I walked down there, accompanied by Mrs. Hutchison, from my house in Leicester-square, which I must therefore have quitted at seven o'clock. It is well known, and may easily be proven, that my dinner-hour is always *after*, never *before* five o'clock; whence it appears, that on the day in question, I neither dined abroad nor had we any company at home; so that no convivial occasion could have led me into any unusual indulgence, nor was there sufficient time for such a thing.

"It is in evidence, that I attended on that evening voluntarily, and unsent for; it is clear, therefore, that I was not myself conscious of being, in any degree, elevated with wine; and I should hope, that the single circumstance of my having been accompanied by Mrs. Hutchison in my walk to that evening's visit, is of itself conclusive that she, at least, had no idea of the possibility of such an imputation. Far from a time of festivity, that period with us was a season of serious affliction. It is in evidence, that a domestic misfortune had then, and for weeks preceding, produced on my mind and spirits very great dejection, and perhaps some irritability.

"Under all these circumstances I visited Mary Turner, on the evening in question, in company with Mr. Pratt.

"The Reverend Mr. Bennett states, that he joined Mr. Pratt and myself in the nurse Cowsey's apartment; the patient having desired to see him, to pray with her.

"Finding the poor child in extreme danger, I did with that promptness and quick decision which is usual with me (and which long practice in hospitals and other great establishments renders habitual, but which is neither to be termed haste nor precipitation,) prescribe to Mr. Pratt a cordial mixture and a blister: it is stated by the witnesses, that I also prescribed the warm bath; to which statement I shall advert hereafter.

"It is declared in evidence by the King's first physician, that in such a crisis, no means could have been thought of more likely to preserve the feeble spark of life from extinction than the cordial mixture so prescribed, and the blister; and that he had even known the bath proposed by a physician of great eminence: Mr. Pratt, however, has deposed, that his mode of practice is, never to attempt any remedy in cases which he, in his judgment, conceives to be hopeless, but to leave the patient to die unaided; to which Sir Gilbert Blane answers, that this is not only assuming the knowledge of the Supreme Disposer of Events, but is also cutting off one of the patient's principal resources, namely, hope;—which is naturally cherished by the active exertions of the medical attendant.

"Mr. Pratt, notwithstanding this extreme and imminent danger of the patient, proposed to defer giving the cordial and blister until our other visits should be concluded; upon which it is certain, that I repeated my directions to him, with some degree perhaps of just irritation, by requiring him instantly to obey, and bring the draught, that I might see it given.

He states, that while in the act of quitting the room, he heard the warm bath prescribed; he does not say, positively, for Mary Turner, but believes it to be so, because he thinks it could be for none other, although he at last admitted, that there were more than one other patient, for whom it would have been beneficial.

"While Mr. Pratt was gone to prepare the medicine and blister, it was proposed, that Mr. Bennett should pray for the patient. It is in evidence, that I joined in the devotion, and that I then carefully raised the patient up, and administered the mixture to her with my own hands; that I also tapped against her chest, or sounded, (as it is termed) in order to discover any symptoms there might be of effused matter in either cavity: this necessary examination, the nurse and convicts, in their ignorance and affection for the poor girl, thought roughness; but Sir Gilbert Blane declares it to have been a very judicious means of attaining the end in view, and much practised of late.

"The

Dr. Hutchison.

(June 24.)

"The Reverend Mr. Bennett was present, and an eye-witness of the whole of these proceedings; and although the idea was suggested to his mind, if not pressed on it, that my precipitation, irritability, roughness, or whatever else Mr. Pratt and the nurses chose to term my demeanor on that occasion, was the effect of ebriety, he steadily, from first to last, declared that it was no such thing; that he himself, before I concluded my other visits in the Penitentiary, was the first to acquaint me of the dissolution of the patient, at which I was greatly concerned; and finally, that he walked part of the way to the gate of the prison with me, when I took leave; and that he knew well I laboured under dejection and agitation of mind from quite another cause.

"With this testimony of Mr. Bennett, the chief officer of the prison, which is the more honourable to him from his having had no reason to be pleased with the demeanor which I (induced by an unfortunate misrepresentation to consider him as an enemy) had of late observed towards him; and with the clear, collected, rational, and I must say, humane and kind conduct, evinced by myself throughout such trying circumstances, there is to be contrasted the opinion of Mr. Pratt; and his *causa scientiæ* comes, when fairly sifted, to resolve itself merely into this: that he considered my prescriptions injudicious, and hence infers that I was intoxicated. He blamed the draught and the blister fully as much as the bath, and from that cause, and that alone, he opines I could not be sober. But Mr. Pratt's opinion, even in medicine, which he has practised for thirty years, is, as the Committee knows, not worth one farthing; therefore one would think his sagacity on other matters of mere opinion very far below par, as compared with that of the chaplain, even passing over the demonstrative evidence of the circumstances themselves: and although the old women and some of the female prisoners appear to have chimed in with him afterwards, it is to be observed that they had no favour for evening visits, and they candidly allowed that on those occasions they were more usually than at other times found inattentive to the rules of the infirmary.

"I should esteem it rather degrading to Mr. Bennett and myself, as well as an idle waste of the very short time allowed me for these observations, to comment at any length on the testimony of such persons, or to trace the methods by which a rumour, propagated by Mr. Pratt and the nurses, finds its way among a numerous female auditory; more especially when such a rumour is circulated with the zest of a profound secret, not to be talked of, but which every one repeats.

"To place the direct evidence, however, of my entire and absolute sobriety on the very evening in question, beyond the reach of doubt or cavil, I am (I may say providentially) enabled to read the following letter which is in evidence, and which I will not weaken by any comment:—"31, Haymarket, 18 June 1823. Dear Sir, I understand, that the "Select Committee of the House of Commons, now sitting on the subject of the Penitentiary, are to-morrow to enter upon an inquiry more particularly as regards your character as medical superintendent, and likewise as regards your sobriety on a particular evening in May 1822, namely, the 19th of that month. I am extremely sorry, that very urgent business obliges me to go into the country, and I set off to-morrow morning early, but shall be in town again late on Monday evening, for I am most desirous to bear my testimony to your character in every sense, and the more particularly so on the present occasion, for I called you in to my boy Benjamin, on the 6th of May 1822, who continued to get worse and worse for more than a fortnight, the favourable change only taking place the end of that month. I recollect most positively, that between the 16th and 28th of May 1822, when my child was at the worst, you never ceased, within that period, to visit him between four and six times in the twenty-four hours, without the intermission of any day, and that you invariably saw him twice between your dinner hour and twelve o'clock at night; your being so near a neighbour rendered those attentions on your part the more easy, and our extreme anxiety for the life of our child having deeply impressed them upon our recollections. You may well believe that if ever I had seen you in the smallest degree overtaken with wine, you should never have had the charge of the life of my child, or of my whole family since. To the above I am ready to bear my testimony on my return, but in the mean while I think it due to you to write this letter, and to say, that my brother-in-law, Mr. Fownes, who was residing with me during the period alluded to last year, will be in attendance at the House of Commons, both to confirm this statement of mine, and my hand-writing, if necessary. I am, dear Sir, very sincerely, yours, Samuel Turner. To A. C. Hutchison, esquire."

"Against this mass of evidence, direct and circumstantial, is to be balanced the single point of the warm bath, which is said to have been prescribed by me for Mary Turner, and then countermanded. Upon this point, I can only repeat, that however the nurses, or Mr. Bennett, may have understood my prescription, both my reason and my recollection suggest to me the impossibility of having ordered a bath for the child; I remember perfectly well, ordering a bath for some one, and that this order was attempted to be evaded by a frivolous objection of there being no steam to warm the boiler, which excuse I put down at once, by ordering the kettles to be placed on the fire to prepare warm water; but as I should not certainly myself have pursued such a line of practice in the case of Mary Turner, I never can attribute the idea of the bath being ordered for her, to any other cause than some inexplicable confusion, which at this distance of time it is impossible to account for.

"The only other point to which my time will admit of adverting, is my indignant denial of the charges when they were first preferred, and my earnest and vehement request for a public investigation. Why I desisted at last from pressing that measure, has been amply detailed in the evidence. Mr. Courtenay has declared, that my last letter of the 17th June

Dr. Hutchison.

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1822, was, he was fully conscious, written under a firm persuasion that all and every part of the accusation against me, had been utterly disbelieved by the managing committee; and he also candidly admits, that Mr. Bootle Wilbraham's answer suffered me to remain under that impression.

"In that letter, I stated that the communication of *such disbelief*, through the medium of Dr. Granville (who was employed by the *committee*, and not by *me*, for that purpose,) had not only relieved my mind from an infinite degree of anxiety, but impressed me with sentiments of gratitude to the members of the committee, for their friendly and most kind demeanor towards me. By which words, as is evident from the whole tenor of the letter, it is clear that I meant gratitude for the pains which the committee had taken to soothe my irritated feelings, in declaring so unequivocally their belief in my entire innocence of the charge; in which meaning, it stands recorded, the committee immediately acquiesced.

But the committee in their minute of the 17th May ultimo, which is on the table, state, that "when Dr. Hutchison was first made acquainted with the charge, he appealed to "some of his *private friends* to come forward in support of his character; but when those "*friends* had seen and communicated with some of the members of the committee, they "were satisfied that Dr. Hutchison had been most kindly dealt with, and by their advice "and persuasion, he wrote a letter to the committee, expressing sentiments of the highest "gratitude for their very friendly and most kind demeanor towards him."

"I beg to appeal to this honourable Committee, whether this paragraph, which suppresses the fact of Dr. Granville's being sent for by the committee;—which asserts that some of my private friends to whom I had appealed in support of my character, had communicated with the members of the committee, thereby implying that I had sent them to intercede for me, whereas no one but Dr. Granville had any such communication, and this not at my request, but at the request of the committee;—which lastly asserts, that those friends who had so communicated with the committee, persuaded me to write a letter, expressing "sentiments of the highest gratitude to the members, for their friendly and most kind "demeanor towards me;" manifestly thereby implying, that the intercession of friends, my own contrition, and a deep sense which I had of the forbearance of the committee, had prevailed on the latter to drop further proceedings;—whether all this has not, to an ordinary reader, the appearance of a most cruel perversion of the fair meaning and purport of the correspondence, which I am satisfied the members of the managing committee, as honourable men, were very far from intending, and I trust that their own sense of fairness and upright dealing, will now, on further consideration, induce them not only to cancel so unjust a statement, but by a double portion of candour and liberality, in viewing all the circumstances of this distressing and painful investigation, as far as it concerns me, indemnify me in some measure for the injury which it may have already done me, in the minds of those who may have hastily perused it.

"I now beg to leave my case in the hands of this honourable Committee, confident that their decision on this part of the investigation, in which all that is dear to me is involved, will be such as is to be expected from the high sense of justice and candour which they have shown throughout the inquiry."

Sir Astley Cooper, Bart. called in; and Examined.

*Sir
Astley Cooper,
Bart.*

HAVE you long known Dr. Hutchison?—Eleven years I have known him.

Do you belong to any philosophical or medical society of which he was a member?—I was president of the Medical and Chirurgical Society at which he was a very constant attendant.

That meets in the evening?—Yes, at nine o'clock.

Is it the practice of the society to discuss medical subjects as well as read medical papers?—That is the business of the society.

Did you ever see Dr. Hutchison in a state of ebriety?—Never.

Did you ever see him what you would consider in the least approaching to it?—Never; and I may add, that if I had I should not have been acquainted with him at all at any future period.

Was he accustomed to take a part in those discussions?—He was.

Did you ever hear that any one entertained such a notion amongst those accustomed to see him in that society?—Never.

Not a suspicion upon their minds?—Not the least.

Is your sense of smell good?—I should almost hope that it is not; but I believe it is as good as most other persons.

Did he ever smell of wine to you?—Never.

Are you acquainted with him at all in his domestic habits?—I have seen him in his family; I had an occasion for attendance upon his family of considerable duration.

Have you ever dined in his company?—I do not think I have; I believe I have once, but I quitted soon after dinner.

Generally as to his professional character, what is your opinion?—I should say, generally, I consider Dr. Hutchison an extremely zealous man in his profession, possessing

possessing a very very considerable share of science in it, anxious to perform his duty well, and certainly having acquired a degree of knowledge that enables him to perform it in the best possible manner.

Have you ever observed any great irritability of temper about him, which would incapacitate him from the exercise of his profession?—Never.

As far as you know, he is gentle and kind?—Certainly, as far as I have seen him, he is gentle and kind.

Do you wish to state any thing further about him?—No, I have said every thing I feel, and every thing I know.

[The following letter was delivered in by Dr. Hutchison, and read:]

" Dear Sir,

Iver Grove, 21 June 1823.

Dr. Hutchison.

" I shall be ready to come to town at any time that it may be required, and shall have great pleasure in giving my testimony to your respectable character before the Committee of the House of Commons, if you should feel it necessary to call upon me to do so. It was with very great concern that I heard you had been dismissed from the office you held in the Penitentiary, in consequence of some complaints that had been made against you; but it is very satisfactory to me to find that the matter is under the consideration of a Committee; I hope the matter will be sifted to the bottom, for I have not the least doubt that the more your character and conduct are inquired into, the more satisfactory will be the result of such inquiry to yourself and to your friends, and I trust that the charges that have been made against you will be proved to be totally unfounded; I shall be ready and glad to declare my opinion of your great skill in your profession, and my full approbation of your good conduct from the time when I gave you your first appointment as a surgeon in the navy, in which I am persuaded that every person who has the pleasure of knowing you would fully coincide. I think you may with great credit and advantage to yourself, make reference to the Admiralty Office, and to the records of the Medical Board of the Navy (the late Transport Board) for ample proof of your skill and prudent conduct in the course of your zealous services in the navy, and particularly in that very important station in the Naval Hospital at Deal.

" I remain, dear Sir, your sincere friend,

" Gambier."

George P. Holford, Esq. a Member of the Committee, made the following Statement, in continuation of his Evidence taken the 20th June.

I CONSIDER the best means of crushing a system of malicious tale-bearing, to be prompt inquiry; for any temptation to make false tales, is most effectually taken away by the certainty of immediate investigation. As Mr. Morton Pitt has stated what he conceives to be the error of my conduct at the Penitentiary, I shall, with unfeigned respect for him, mention the point in which he appears to me to err. I think Mr. Pitt is much too reluctant to admit evidence of the misconduct of those of whom he has once formed a good opinion, and whom he has recommended; and I think the statements of some of the officers of the Penitentiary, who have been dismissed or compelled to resign, have made a much deeper impression on his mind than the communication he has had with the members of the committee, or even the records of the committee themselves. I have shown to this Committee, by papers delivered in, that Mr. Hatch was not dismissed from his office of steward, as Mr. Pitt supposed, from not having immediately been able to make up a clear account, after his accounts had long been suffered to be in arrear, but for having borrowed money of some of the tradesmen of the establishment, and having endeavoured to borrow money from others who refused to lend it to him. Mr. Pitt has represented Mrs. Chambers as having resigned, in consequence of a charge of having given her daughter a bible, which though she received it from the hands of the chaplain, she thought she might dispose of, and of having used a small quantity of thread belonging to the establishment, of a value not exceeding 2s. in work done for herself, which thread she afterwards replaced. I desire the Committee to have read, the Examinations of the witnesses taken before the committee of the Penitentiary on the 3d of February 1817, in respect to Mrs. Chambers, premising only, that the female officers examined on that occasion, were all recommended by Mrs. Chambers, and were unwilling witnesses in any transaction which could affect her place or character.

George P. Holford,
Esq.

William Morton Pitt, Esq. delivered in the following Statement:

I TRUST the Committee in general, and my honourable friend Mr. Holford in particular, are fully persuaded, that I am incapable of a wish, in any degree, either in my letters or in my evidence, to impute to Mr. Holford any improper or unworthy intention. I have endeavoured to represent the mode of seeking after and pro-

William M. Pitt,
Esq.

William M. Pitt,
Esq.

(June 24.)

curing information, which has for several years appeared to me to have been pursued by Mr. Holford, as having, in point of fact, and to my conviction, had the effect of inviting and encouraging complaints tending to produce the evils alluded to. I think a fair distinction may be drawn between a readiness to hear the complaints of prisoners and others if preferred, and to endeavour to redress the grievances so complained of by reporting them or otherwise, and the inquiry, or search after complaints, and the virtual invitation to complain held out to such persons, and it is to that practice, which I conceive to have existed, that I have ventured to object.

I am not aware, that in that part of my evidence which relates to Mrs. Chambers, I have introduced one word of charge against Mr. Holford. I have declared my unchanged opinion of the innocence of Mrs. Chambers; that I considered at the time, and still do consider her dismissal as undeserved; and that the view taken of her case by a majority of the committee of the Penitentiary, was to me a matter of much surprise.

[*The Examinations were handed in, and read, as follows:*]

(Copy.)

"The Committee proceeded to the examination of the several witnesses; viz.

"Burne (a prisoner) deposed, that she was formerly employed in the laundry, but lately removed; when in the laundry, mangling was done for the matron and turnkeys, but not for any other person; does not believe that sheets were washed.

"Jane Dockerell (a prisoner) has been in the laundry recently; during which time mangling was done for the matron and Mrs. Croome.

"Caroline Goodwin (a prisoner) came from Newgate and was employed in the laundry from her coming into the Penitentiary for three months, when she was removed on account of ill health; was away about three months, and has since returned to the laundry; when employed there, mangling was done for the matron, steward, and master manufacturer, and remembers two gowns being mangled for the master manufacturer's wife.

Sarah Stone (a prisoner) has been in the laundry for about a fortnight; never washed for any of the officers, but has mangled pantaloons, gowns, and small things for the master manufacturer and his wife; table cloths and towels for the steward, and table linen, &c. for the matron.

"Mary Freeman (a prisoner) was near six months in the wash-house and laundry, during which time mangling was done for the matron, steward and master manufacturer; never heard any swearing among the prisoners employed in the wash-house, or any indecent or immoral conversation.

"Mary O'Brien (a prisoner) employed in the laundry; never washed for any of the officers; but mangling has been done for the master manufacturer, and for the governor a trifling article has been mangled; never heard any swearing or oaths among the prisoners employed in the laundry or wash-house, or any indecent language".

"The Committee proceeded to examine as to work executed in the prison, which had not been charged or accounted for to the establishment.

"Mrs. Clarke (one of the turnkeys) attended; she deposed,—That mangling was regularly done weekly for the matron, steward, and master manufacturer; and that in one instance, two or three dresses were done for the Miss Shearmans, (the governor's daughters) which was brought to her by the governor's servant boy; that a counterpane had been washed by the matron, and also a frill made; and that the wardswomen after they had completed their day's work, had occasionally mended stockings and trifling articles for herself (Mrs. Clarke.)

"Mrs. Todd (a female turnkey) stated, that in her division,—One shirt had been made for J. Strangeways, the porter at the inner lodge; and that some trifling articles had been done for herself; that four bodies for petticoats had been made in her division for Mrs. Chambers, which she received intimation were not to be charged; that one pair of stays were also made for Mrs. Croome (another female turnkey) which when brought, it was intimated that the matron did not think it was necessary should be charged, and they were not; that two pair of stays were also made for Miss Chambers, and ordered not to be charged; and that a small pair of stays for the steward's daughter was also given to be made by Mrs. Smith, the taskmistress, which was not charged; that a prisoner (a Welsh woman) having knitted her (Mrs. Todd) a pair of mittens from the worsted of the establishment, she directed her to knit another pair, which she presented to the matron, and which were not charged; the prisoner being employed at her leisure time for this purpose.

"Mrs. Wilkinson stated, that bed furniture, pocket handkerchiefs, and other articles had been done by the prisoners in her division for the matron, and which the matron told her was not to be charged, and that she had received from Mrs. Smith, the task-mistress, a pin-cloth, petticoat, and small articles for the steward's child, which were not charged, as well as some stockings from Mrs. Smith to be mended.

"Mrs. Evans (a female turnkey) stated, that some bed furniture had been frilled and bound for the matron, as well as frills trimmed, and also a gown made up; that the bed-furniture was given by the matron to the prisoners in Mrs. Evans's absence, and on her communication with the task-mistress as to its being sent, she appeared to be fully acquainted with

with it, and intimated that it was not to be charged. That Mrs. Evans had occasionally employed Martha Burgess to mend her stockings.

"Mrs. Croom (another female turnkey) stated, that the only work she received from the matron and Mrs. Smith, to be done without being charged, was two night gowns, which were only partly done, the prisoners being removed to other work. That being in want of a pair of stays, and a prisoner in Mrs. Todd's division being used to that work, she applied to the matron if she might have a pair made without being charged, and having received her permission, she sent the materials to Mrs. Todd, and they were made up without charge. That her sister slept one night in the round tower, with the permission of the governor. That on Mrs. Bennett sending to know if there was any pattern of satin-stitch work in the prison, she returned an answer dictated to her by the task-mistress, and which she believed to be correct, as she was obliged to return some work of that description undone, there being so few prisoners capable of doing it.

"That she has regularly baked for the matron, governor, steward, and master-manufacturer, and twice for the chaplain; and that very frequently she herself has brought the meat so baked from the kitchen to the respective officers. That she has frequently given the wash to the master-manufacturer's man, but has carried it outside the iron gate of the airing-ground, and never permitted the man to come inside the door of the prison. That herself, Mrs. Wilkinson, and Mrs. Evans generally dine together, in the small room which she, Mrs. Croom, occupies as a work-room; and that Mrs. Todd and Mrs. Clarke generally dine together in one of their rooms.

"Mrs. Smith, the task-mistress, examined; she stated,—That the work is generally brought to her by the persons requiring it to be done. That part of a bed and two pair of stays had been made in the prison for the matron, who acquainted her they were not to be charged. That a mattress had been made for the matron, which she intended to have paid for, but on tendering the money to the master-manufacturer he declined receiving it. The mattress was made about a fortnight since, but the money was not tendered until Saturday evening last. Was acquainted that baking and mangling was done for the respective officers. That work had been sent by a Mrs. Furnley to be done at a price named by herself, which Mrs. Smith considered so low that she declined executing it, and communicated her determination to the master-manufacturer, who, at her desire, had written to Mr. Furnley on the subject. That she never received from the matron a list of prices for work, which were submitted to the committee. She saw the list in the matron's room, and agreed thereto, but having since considered them so high as to prevent being fully employed in work, she had reduced some of them, with the matron's concurrence. She remembers a conversation with Mr. Holford, relative to the turnkeys dining in their own rooms, and his recommendation that they should not do so, without applying to and obtaining the leave of the committee, which she communicated to the matron and turnkeys, but notwithstanding, in bad weather, the turnkeys did dine in their own rooms.

"Mrs. Croom did not report to her on Saturday last, that the meat was not received until within half an hour when it should have been ready for delivery to the prisoners. That the threads from Mrs. Barset were delivered to the matron, but that since the subsequent arrangement was agreed upon, the whole had been sent to Mr. Webb.

"The matron was examined, who stated,—That mangling had been done by the prisoners for herself and several of the officers, although she cannot speak to the extent, but considered she was not infringing on the rules; she never mentioned the subject to a visitor, nor had the governor ever any conversation with her relative thereto. Baking has been done generally for the officers, but the governor's baking is principally for his children at an early hour. That Mr. Morton Pitt told her, that she might bake her meat there, and she understood there was no objection to any of the officers having their meat baked. That she delivered to Mrs. Smith a copy of the list of prices for work approved of by the committee, and she believes those prices are now received. Mrs. Smith prices the articles and receives the money, and hands it over to Mr. Webb. That this practice has been adopted for convenience, Mr. Webb not being in the way frequently when persons come to pay for the work.

"The Committee proceeded to examine the matron on the subject of the work which had been done, and not charged in the books of the establishment.

"The matron stated, that she had made in the prison,—4 bodies for petticoats, 2 pair of stays, strips of muslin at different times hemmed, stockings occasionally mended by Martha Burgess, a petticoat cut up to make aprons, 4 night gowns, 8 pocket handkerchiefs, 4 pair of pockets, and part of a bed furniture.

"The matron considered, that in order to keep the prisoners continually at work, she was at liberty to employ the prisoners in making up any thing for herself; that she never consulted a visitor on this point, nor did she consider it necessary to do, and positively states, that in giving this work to be done, she never stated that it was not to be charged; never told Mrs. Croom that she might be allowed to have a pair of stays made, and that the bed furniture was made in Mrs. Wilkinson's and Mrs. Evans's division.

"The turnkeys dine in their own room in bad weather, but do not do so generally; never named this circumstance to a visitor, or consulted him thereon; Mrs. Smith never told her that the visitor had particularly desired that this might not be done without obtaining the consent of the committee.

"That in ordering the threads, &c. from Mr. Barset, she did so with a view of procuring them cheaper and better; that Mr. Bell, on viewing, considered them of an inferior quality,

although she did not; that the supplies had since been received from Bell and Parker, she did not know at what price, and that since the visitor had directed all these articles should be sent to the master manufacturer, they had been so done.

"That Mrs. Croom informed her on Saturday last, about half-past eleven o'clock, that the meat had not arrived; that Mrs. Croom's sister had slept in the round tower, but that she had not inserted the circumstance in her journal, it having escaped her memory.

"The governor attended and stated, that upon discovering that mangling was done in the prison, he had conversed and called the attention to the matron respecting it, expressing his opinion that it was incorrect, but that such conversation took place very recently."

George P. Holford,
Esq.

(June 24.)

By whom was Mrs. Chambers recommended?—By Mr. Morton Pitt; and when she was introduced, I thought her a very fit person; Mr. Pitt had known her many years.

You do not know in what capacity she had been?—I have some faint notion she had kept a school; and I think she gave up that to come to the Penitentiary.

Mr. Shearman, the first governor of the Penitentiary has stated to this Committee as one of the reasons for his resignation, that the visitors gave orders in the prison which, he thought, ought to come through him; and that he is not aware that there had been any complaint against him before the time of his resignation. Mr. Shearman entered on the duties of his office of governor of the Penitentiary on the 1st of May 1816; the first prisoners that came in were females, and they were received on the 27th of June, in that year; there were no male prisoners in the prison until the 10th of February 1817. Mr. Shearman has stated that he does not recollect the fact of any visitor ever giving an order in writing. Now, it happens that in the visitor's book I find the following entry made by me on the 11th of February, the day after the male prisoners were received, "I directed, by a written order, that the turnkeys should take their meals in the task-master's tower." Mr. Shearman, on being asked, whether he recollects a conversation to the following purport, between him and me, viz. "that he said to me once, that the officers in the prison often told him, that they had their orders from Mr. Holford, and that he hoped Mr. Holford would not consider him acting improperly if, in answer to such statements, he said he had heard nothing of it from Mr. Holford, and would pay no regard to what they said upon such subjects; and that Mr. Holford's answer was, "that he would do perfectly right, for that he, Mr. Holford, never gave orders but "in writing, nor to any person but the governor himself, nor had power so to do." Mr. Shearman said "he recollected nothing of the kind." I beg to state positively, that such a conversation did take place; and I perfectly recollect the part of the prison in which it took place. Mr. Shearman has stated that no complaints were ever made against him till the month of April 1817, in which he resigned. I beg leave to give in to the Committee certain Extracts from the visitors' book, during the time I was visitor; the first of these is on the 18th of February 1817.

[The same was handed in, and read, as follows:]

"1817, February 18th.—Came at half-past nine, having understood from the governor, that 16 male prisoners were expected from Newgate at ten. They are not now arrived (half-past eleven); and it will be fortunate if they should not come in to-day. When I came this morning, there was not a table or a stool in any working cell; and one of those cells, where the prisoners were to be placed, in which the workmen had some time since kept coals, was in the dirty state in which it had been left by them; not a single bed had been aired. The bedding is now carried into pentagon, N° 1, and put before the stoves in the passages. The steward told me, that he knew nothing of any male prisoners being expected; he says no meat has been ordered on their account, but that he has enough, all but about two pounds. If sixteen male prisoners can be supplied, without notice, within two pounds, the quantity of meat sent in cannot be very accurate. I met Mr. Pratt on Milbank at half-past ten; he also said, that he did not know that prisoners were expected. This is very extraordinary, for it was settled long since, that the second detachment of prisoners were to come in a week after the first; and the governor had, I know, communicated to the patrols and turnkeys, that they were expected on this day. There are no stockings fit for boys in store. The messenger is just gone to Mr. Dixon's, on that subject."

Mr. Holford.—Mr. Shearman has also stated, that he does not remember my complaining that he knew but little of what was going on in the prison; and my asking about the bells rung in the prison, concerning which he gave a different account from that given by the porter; he has stated, in answer to that question, that he does not recollect any conversation about the bells. I desire to deliver in an entry from my visitors' book upon that subject, and also some other entries from the same book.

[The same were handed in, and read, as follows:]

George P. Holford,
Esq.

(June 24.)

Extract from the visitor, Mr. Holford's journal:—" 1817, March 10.—Came at half past nine. Considered arrangements in the chapel, with Mr. Bennett and Mr. Thoms, and went away a little after twelve. Came again at half past four; during my absence, a prisoner named Hake, arrived from Exeter. Mr. Webb being gone to Mr. Dixon's, and the governor being also out, Mr. Bennett was applied to for directions concerning him, but the governor came in before arrangements for his reception were completed. On going round pentagon 2, a little after five, I observed the prisoners in Clark's division, receiving their gruel in their day-cells, (which he said they always did) while those in Laban's and Savage's divisions, were coming out of their day-cells to go into their night-cells. On inquiry, whether the bell had been rung for leaving off work, I was told that no such bell rung; on questioning the porter at the inner gate, I found that this assertion was correct. The governor, who came up while I was conversing upon this subject with the porter, said, (in answer to my inquiries concerning the omission) that the bell alluded to (the ninth, or evening bell, in the rules) was regularly rung; the porter, however, persisted in stating, that he did not ring it; on which the governor observed, that it ought to be rung, and he always supposed that it was rung. I found also, on questioning the porter, that the second bell, for going to work, was frequently omitted. Left the prison between 6 and 7.

" 11th.—Came at half-past nine; went round both pentagons, previous to assembling the prisoners to attend the consecration of the chapel. I find that the prison was left yesterday evening without any superior officer except Mr. Bennett, under the following circumstances: the governor told me about 6 in the evening, that he was sorry that Mr. Webb was not returned from the city, because he himself wished very much to go out upon private business. I observed, that of course he could not leave the prison in the absence of Mr. Webb; in which observation he appeared to acquiesce; but as soon as I went away, both he and the steward went out.

" 12th.—Came at half-past ten; went round part of each pentagon. The doors leading from the pentagons into the area in front of the hexagon, are not kept double-locked, as they ought to be. I found two workmen employed in altering a door; and the two prisoners employed in the kitchen together, without a turnkey. Went away half-past 12.

" 13th.—Came at ten o'clock. Mr. Webb informed me, that he has reported to the governor, that during his absence yesterday evening, the female prisoners were noisy, and the patrols off their duty. This will probably appear in the governor's journal. Went round pentagon N° 2; on questioning the male prisoners respecting their food, I was told by several, that they did not believe that they received their full allowance, either of meat or potatoes; some did not know what their allowance was, the dietary not having been fixed up, but said, the quantity received, particularly of potatoes, was very different on different days. Left the prison at 12; I returned to the prison before one; took the governor with me into pentagon N° 2; waited there until the dinners were brought in, and had the meat and the potatoes in each mess in Laban's and Savage's divisions, weighed by the governor in my presence; those in Clark's being weighed at the same time by the master manufacturer. The meat was in all instances full weight, in some it was over weight; the potatoes were deficient as follows:—

In Laban's division, in	- - -	16 messes, deficiency	- - -	3	5
In Clark's - - d°	- - - - -	10 „ - - d°	- - - - -	2	4
In Savage's - d°	- - - - -	11 „ - - d°	- - - - -	4	15

Being a deficiency, in - - 37 messes, of - - - - - 10 8

or more than 4½ ounces in each mess; but the deficiency was unequal in different messes, being in one as much as 7 ounces out of 16. I find the potatoes are not weighed, but put into cans by guess; and Mr. Hatch says, that he considered the quantity allowed to be one pound before boiling. It was known in the kitchen before the dinner was distributed, that the prisoners had complained of their not having their due weight; and this may probably have been the reason of the meat being full weight. I found that there were two messes wanting in the kitchen.

" 14th.—Came about 11; went into pentagon N° 2; found that the prisoners in Clark's and Savage's divisions did not receive any addition to their potatoes yesterday, in lieu of the deficiency which had appeared in weighing their rations. Laban had been supplied with the amount of what had been wanting. Left the prison about 7 o'clock."

" Extract from Visitor's (Mr. Holford) Journal.

" 1817, March 20.—It having been agreed, on Friday last, to speak to the governor when the committee should next meet, on the subject of his frequent absences from the prison, and on the omission to ring the bell for leaving off work, mentioned in the preceding entry of this book on the 10th of this month, I think it right to suggest the propriety of looking at the same time into the state of the governor's books, and of inquiring whether the clothes with which the prisoners come into the prison have been sold, and the produce regularly entered in his account.

" 29th.—Came at 10. There are in the bathing-room, in the lodge, several bundles of clothes belonging to male prisoners, who have come in between the 1st and 21st of this month; they are exactly in the state in which they were when the subject was mentioned at the committee last week; some of them are thrown into a dirty part of the room, whether intended to be burned I do not know; the porter thinks they are not. I do not believe that any of the female prisoners things have been yet sold; I understand, from the governor, that

George P. Holford, Esq. he has not yet made any entry in the character book concerning the behaviour of any male prisoner since he came into the prison, or relative to any occurrence connected with any such prisoner."

(June 24.)

Mr. Holford.—I ceased to be visitor in that year on the 31st of March; I now deliver in the various proceedings at the different committees that took place on the subject of the governor's conduct, previous to his resignation.

[*The same were handed in, and read, as follow:*]

" AT a Meeting of the Superintending Committee, held 22d March 1817.

" Present:

The Right honourable Sir A. Macdonald, bart. in the chair.

The Right honourable Charles Bathurst.

George Holford, esq.

The Right honourable Charles Long.

William Mellish, esq.

Sir Charles Edmonstone, bart.

The Reverend Archdeacon Pott.

John Fane, esq.

The Reverend Archdeacon Cambridge.

William Morton Pitt, esq.

" The visitor's minutes were read; and the visitor (Mr. Holford) called the attention of the committee to several points connected with the governor's duties as to the discipline of the prison, in which there appeared great relaxation. Resolved, That the governor do attend the committee, and be requested to explain the cause thereof. The governor attended and stated, that the cause for not disposing of the prisoners' clothing arose, in some measure, from a doubt existing in his mind whether he was empowered to sell the clothes which many of the prisoners brought with them, in addition to those they actually wore, but that he was preparing for their disposition, with the assistance of Mrs. Wilkinson, and he requested permission to dispose of about a dozen lots at a time. It appearing to the committee that the absence of the governor from the prison was very frequent, which occasioned great relaxation in the discipline of the prison; the chairman acquainted the governor that it was necessary some alteration should take place in this respect; the governor explained the cause of his absence, and expressed an apprehension that (for the present) he could not curtail those absences, many of them being indispensably necessary, from pecuniary circumstances and professional engagements, where his attention could not possibly be dispensed with, and intimated his intention of resigning the appointment.

" Resolved,—That the governor do maturely consider, and submit to the committee at their next meeting, in writing, any observations he has to make on this point."

" AT a Meeting of the Superintending Committee, held 29th March 1817.

" Present:

The Right honourable Sir A. Macdonald, bart. in the chair.

The Right honourable Charles Bathurst.

E. Bootle Wilbraham, esq.

The Right honourable Charles Long.

George P. Holford, esq.

Sir Charles Edmonstone, bart.

The Reverend Archdeacon Pott.

John Fane, esq.

The Reverend Archdeacon Cambridge.

William Morton Pitt, esq.

" The governor, on being called on by the committee for the statement in writing, which he had undertaken at the last meeting to prepare for their consideration, presented a letter, stating that the multiplicity of business in which he had this week been engaged in the execution of his duty, had prevented his being able to prepare the paper alluded to, and that he was under the necessity of soliciting the indulgence of the committee until the next meeting; but it appearing from the visitor's minutes, that the directions given when the committee last met, for disposing of the prisoners' clothing, and completing the male prisoners' character book, had not been carried into effect, the committee ordered his attendance. The governor attended and stated, that both the measures directed were in a progressive state of completion, and should be forthwith carried into effect, and that his time had been much occupied by the increase of workmen in the different parts of the prison, which required his continual attention and superintendence; the governor also stated his inability (from a desire to consult his particular friends) to prepare his remarks by Monday next. It was resolved,—That the committee do meet on Friday the eighteenth of April, and that it be specially notified to the governor that his report must be submitted to the committee on that day."

" AT a Meeting of the Committee, held the 18th April 1817.

" Present:

Sir Benjamin Hobhouse, bart. in the chair.

The Right honourable Charles Bathurst.

George Holford, esq.

Sir Charles Edmonstone, bart.

Edward Bootle Wilbraham, esq.

William Morton Pitt, esq.

The Rev. Archdeacon Pott.

" The minutes of the last meeting were read, and confirmed.

" The governor (in pursuance of the directions of the committee at the last meeting) submitted a letter, explanatory of the circumstances which led to his accepting the appointment. (see Letter.)

" To

" To the Committee of the General Penitentiary, Milbank.

" Gentlemen,

George P. Holford,
Esq.

(June 24.)

" It is now about a year and a half since I was first sent for to know whether I was inclined to fill the office of governor of this establishment, if such a situation could be obtained for me; prior to this period, such an employment had never entered my mind, and I then held a situation under the noble lord at the head of the Home Department, as clerk at the Public Office in Hatton Garden, and was in possession of a respectable and lucrative practice in my profession, the result of 20 years exertion, and lived happily and comfortably with my family, surrounded by many friends much above the common class of society; but finding that I had unsolicitedly been selected as a fit and proper person to execute so important a trust, for no other reason than that nobleman's own appreciation of my humble talents from what he had seen and heard of me, I felt an indescribable glow of gratitude, which prompted me instantly to say that I was ready and willing to exert myself in any situation of life, consistent with the welfare of my family, where I might be found most usefully employed for the benefit of the public. I then perused the Penitentiary Act with attention, and finding that the office of governor was in effect an appointment for life (with the exception of fraud or gross negligence) I made up my mind to be one of the candidates for the situation, and ultimately, through the favourable consideration of the committee, was successful; I could make no disposition whatever respecting my business, until I had obtained this point, but as soon as it became certain, I made immediate arrangements for quitting the profession of the law for ever, and was, with hurry and confusion in my affairs, in a very short time sent on a journey of 1,000 miles by the committee, to visit various prisons, and upon my return removed into this building, where I have ever since remained performing my duty to the best of my power and ability, with an anxious desire to give satisfaction to every member of the committee. In what I am about to say, I am extremely anxious that no expression may escape me in the slightest degree appearing to convey censure or give offence, either to the committee or any of its members; and although I have not so much vanity to suppose that my praise is of any importance to gentlemen ranking so high in life, it will afford me pleasure in bearing my humble testimony to the purity of their intentions in all they do; their industrious care to keep due order and discipline within these walls, and to promote the welfare of this most laudable institution; but I cannot conceal from the committee, that for the last two months I have been very unhappy, partly arising from an apprehension that, without being conscious of having done any thing to merit it, I had lost the good opinion of one of the most zealous members of the committee, whose favourable sentiments I have been most earnest to retain, and from finding that the salary as governor, at present, is not sufficient, with the strictest economy, to maintain and bring up so large a family; with respect to the first part, there has been a want of communication in matters of detail, connected with the discipline of the prison, during Mr. Holford's late visitation, which has given me no small share of inquietude; I had hoped, that all the orders of the respective visitors would have been executed by the inferior officers through my immediate agency, feeling convinced that is the best mode of supporting my authority over them; I flatter myself I possess the secret of managing them without being tyrannical, so as to induce a prompt and willing discharge of their several duties, and at the same time producing in them respect, esteem, and attachment to my person, and from such feeling towards me, to stand by and support me in danger and peril, should any commotion arise, until the tumult shall be quelled and the offenders reduced to obedience and submission. I hope I have not been led by my feelings to say too much on this occasion, and that I shall not incur the displeasure of the committee, or any individual composing it, by stating these sentiments. With respect to my absences, I trust I have shown, in the preceding part of this communication, that I have not, since my appointment, had much opportunity of attending to the arrangement of my professional concerns, or to the getting in of my outstanding debts. I have carefully gone through my journal, and find that I have, in the course of 40 weeks, been absent 60 times, which, upon an average, is not more than $1\frac{1}{2}$ per week; some few of these absences have been on three and four successive days, but I have not been able to find any instance of my being out seven days in succession. I have, in this calculation, excluded those days on which I have been away on the business of the establishment, but I have included many absences of not more than two hours duration; I solemnly assure the committee, that I have never purposely omitted to state when I have gone out, and those who have known me intimately, would pledge themselves that I am above practising so contemptible an artifice. I trust, therefore, that the committee, on further consideration, will not think I have exercised an unsound discretion in availing myself of the privilege given me by the rules and regulations, which from the first I have considered, and I trust not erroneously, as part of the contract entered into between myself, the committee, and the public. I have never, but in two instances, failed to comply with the conditions mentioned in the rules applicable to this subject, the one, when the master manufacturer was out of town for a few days, with the outporter at Mr. Hatsell's country-house; the other, an absence for less than two hours, on a matter of great emergency, the master manufacturer not returning according to his promise. On the subject of the salary, I beg leave respectfully to state, that when I first seriously thought of this situation, I was given to understand that the place, in point of emolument, would be much more considerable than what it turned out to be, and that in addition a house, coals and candles would be allowed; I also calculated on the privilege of having all our linen washed in the prison, and I was fortified in this idea, by finding there was not the slightest convenience thought of in this place for washing linen but in the prison, and that it was almost the universal practice at the several prisons I visited for the

George P. Holford,
Esq.

(June 24.)

superior officer to have his washing so done; besides which, when it was settled that three of the superior officers, namely, myself, chaplain and matron, were temporarily to be placed on one side of the hexagon, we were told, as was no doubt then intended, that another side of the hexagon would be finished before Michaelmas last, and by keeping good fires in the rooms during the winter, would be fit for habitation in this spring, and that two more pentagons would be built in the course of this year. The statement induced me to think that we might look for the increased salary on the completion of the building, about the latter end of the next year, and that by rigid economy much loss might be avoided; but by the protraction in the progress of this building these hopes are fled, and experience has shown me the necessary expenses of my family (excluding all articles of luxury) already exceed my receipts by about 150*l.*; even the single article of washing amounts to upwards of 70*l.* a year; I am therefore placed in a most perilous situation. I have, knowing I could not be concerned in any other business than my duty here, for a trifling consideration, parted with my professional connections, by introducing another person to my clients. My situation at Hatton Garden office has long been filled up; I have bound myself not to interfere with my former business, and I have let the house I formerly occupied. I know not what step to take for the best; to remain here for years, with the consciousness that my pecuniary affairs must necessarily get worse and worse, and that should any accident happen to me, a numerous and virtuous family would be suddenly plunged into insurmountable difficulties, is equally painful and distressing. I have no objection, if the committee will be troubled with it, for their satisfaction to collect together and put on paper, a detailed account of all my expenses, by which the committee will find that I have not overcharged this statement. I have, with sentiments of respect ventured to lay these circumstances before the committee, in the hope that they may be pleased to take them into their serious consideration.

I am their faithful and obedient servant,

April 18, 1817.

(signed) *J. Shearman.*

"The committee, not being able to collect from the governor's letter the precise object of his application, requested his attendance. The governor attended, and stated that his object was to procure an increase of salary, without which it would be injurious to his family to remain. In answer to a question, whether, in the event of his salary not being increased, his explanation was to be considered as giving notice of his resignation; he replied "Yes." He stated, that it would take him twelve months to collect in debts due to him; he owed something considerable, but had assets to meet the demand. His name is nominally used by the gentleman who succeeded him in his profession, but he has no interest in the firm. His successor is to allow him an annuity for life, which depends and varies with the proceeds of the business, and is allowed to use his name for three years; if the business produces a given sum, he is to receive 200*l.* per annum, but if it does not reach that sum, it is only to be 100*l.* per annum. The engagement for such an annuity cannot be given up without the consent of both parties. That he does not, nor ever did consider that the allowance made him by his successor, was a violation of the rule laid down as to a governor being directly or indirectly concerned in business; but if it should be so considered, he would much rather accept the less allowance; if he had erred in this respect, it was in judgment, and not intentionally. The governor, in reply to a question as to when his expectations were for receiving an increase of salary, replied, In the latter part of the year 1818, the amount to be regulated by the committee: Resolved, That it is the unanimous opinion of the committee, that the governor, by entering into an agreement, in permitting his name to be used in the firm of Shearman and Wylie (as solicitors) and receiving an allowance therefrom, varying in some degree with the profits of the concern, has transgressed the 28th rule, concerning the "duties of governor," which rule directs, that "he (the governor) shall not be concerned, either directly or indirectly, in any occupation or employment whatsoever, other than such as belongs to the duties of his office;" and that a special meeting of the committee be summoned on Friday next, the 25th instant, to consider of ulterior measures thereon.

"The governor attended, and the chairman read to him the foregoing resolution."

"AT a Meeting of the Committee, held 25th April 1817.

"Present:

The Right honourable Sir A. Macdonald, bart. in the chair.

The Right honourable Charles Bathurst.

Sir Benjamin Hobhouse, bart.

Sir Charles Edmonstone, bart.

William Morton Pitt, esq.

E. B. Wilbraham, esq.

George Holford, esq.

Charles Shaw Lefevre, esq.

The Rev. Archdeacon Pott.

The Rev. Archdeacon Cambridge.

"A letter from the governor was read, stating his wish to resign his appointment.

"Resolved, That the resignation of the governor be accepted, and that measures be taken to fill up the vacancy."

Mr. Holford.—Mr. Thoms states his resignation to have been voluntary; the fact however is, that Mr. Thoms resigned, because we expected that the office of secretary and examiner of accounts, should be executed in a very different manner from that in which it had been executed; and I beg to hand in a paper, which

which I circulated among the members of the committee at the end of April 1820, upon the necessity of some change in the office which he held.

*George P. Holford,
Esq.*

[*The same was handed in, and read, as follows:*]

(June 24.)

"The following observations on the present state of the accounts of the Penitentiary, will I think convince the committee of the necessity of some additional arrangements upon that subject.

"Our accounts are divided into two great branches.

"Articles required for the use of the prison and the maintenance of the prisoners, go, of course, through the steward, who has also a petty cash account.

"The materials of manufacture and manufactured articles do not pass through his hands, but are in the charge of the master manufacturer, whose accounts are quite distinct from those of the steward; any articles made by the prisoners for the use of the prison are received by the steward from the master manufacturer as from any other tradesman, and the master manufacturer has his own petty cash account.

"All demands on the Penitentiary, except such as are paid out of these two imprests of petty cash, are discharged by drafts drawn in committee.

"Mr. Webb, our first master manufacturer, was a very thoughtless man, and very irregular in all his dealings and transactions; about two years ago, Mr. Becher undertook to look into the master manufacturer's mode of keeping accounts, and made such a report of their insufficiency, that Mr. Webb was removed from the situation of master manufacturer.

"Our accounts, however, did not get into a proper train after the appointment of our present master manufacturer, Mr. White; large quantities of leather, glass beads (which were made in the prison), &c. were found concealed, and this last branch of manufacture was at length discontinued, and the prisoner who understood the art of colouring glass beads was degraded to the first class, and employed as a tailor, for being concerned in an attempt to bribe a workman with a bead necklace to take out a letter.

"In regard to embezzlement in the Penitentiary, I must observe that the pecuniary loss arising from practices of this nature, are as nothing in comparison of the moral evil which they occasion, defeating the very end and object of our establishment, and corrupting and rendering still worse the prisoner, whom we profess to amend.

"Early in 1819, Mr. Auld, an experienced accountant, was employed by the committee to look into our manufacturing accounts.

"This gentleman has made two very elaborate reports, in the latter of which he has given a very complete view of our manufacturing concerns, for the year 1819, according to forms of account pointed out in his former report, of which the committee then approved.

"Upon these reports two questions arise:—

1. What is to be done about the outstanding debts, which are not very large, but which must not be left to incumber our accounts for all time to come.

2. How the accounts are to be kept in future; the first point may perhaps be got rid of, by directing our secretary to report upon each debt according to the best information he can procure, and the committee may then strike off such as are deemed desperate, and employ some person to collect the remainder.

"The second point is of more difficulty and importance.

"With our reports from Mr. Auld upon the table, and with our debt to him for his trouble (whatever it may be) undischarged, we are still almost four months in arrear as to our manufacturing accounts; the only accounts kept by Mr. White since December 1819, being those rough books which are the foundation of all the others.

"It is quite impossible for the master manufacturer to keep the accounts in the manner required; he has other duties to perform of a very extensive and complicated nature, and which are increasing with the growth of the manufactory; he purchases materials out of the prison; he is the storekeeper of all articles manufactured and unmanufactured, and he is liable at any time to have the whole conduct and management of the prison thrown upon him, whenever the governor may be absent or unwell. He had the charge of the prison for above a fortnight, I believe, during the last winter, in consequence of the illness of the governor.

"In considering, however, any arrangement that may seem called for by these circumstances, the committee will of course think it right to advert to the accounts of the steward. I am told that the steward is a complete accountant, and that nothing can be more clear than his accounts. From the statement, however, which I am going to make, the committee will see that these accounts furnish no sufficient security against fraud. A female prisoner having stated to me that she had been employed in cutting up beds, and making cushions of the hair contained in them, and had also packed up blankets to be sent privately out of the prison; I sought in the accounts for some means of disproving this assertion; according to the statements of the matron and Mrs. Wilkinson as to the number of blankets with which Mrs.

set out, when she was made taskmistress in June last, and the accounts furnished to me by the stewards of what has since been issued and ventured into store; the number now in the 3d pentagon should be 575; it is by a survey, 627, being 52 more than it ought to be, or could be, if the accounts were true.

"From this statement nothing can be inferred, but that the accounts are not to be depended on; but there is this fact to be mentioned, in corroboration of the prisoner's statement, viz. that ten new blankets were found in Mrs.

bed room, when she left us (where they ought not to have been), although she had very recently demanded and

George P. Holford, Esq. received nine new blankets, as wanted for three prisoners expected, which nine blankets were left in her store room.

(June 24.)

"That there has been great irregularity and waste, if not fraud, in the management of stores in this pentagon, I have no doubt from my own observation. I lately found seven shoes, and eight or nine rusty drinking cans, with other lumber, in a cell in ward E.; and I know that the manner in which the stores to be returned to the steward, were sent back, was very irregular. I have not called for any account of beds. I found one bed in the store room, which ought not to have been there; and it is a fact known in the prison, though the knowledge of it never reached the committee, that a bed was actually lost last summer. Being informed by a prisoner, who was pardoned above two years ago, and who has since been employed in the garden, that he had not received the whole of what had been voted by the committee to be paid to him on his discharge, I looked into the state of the book called, "*The Prisoners Account Book*," kept by the steward, containing on one side the debts of the prisoner to the establishment (for letters, breakage, &c.), and on the other side his credit (for money brought in per centage, &c.); this account should be closed when the prisoner goes away, the sum paid by order of the committee being added to the credit side; but several of the accounts were not done, nor did it appear on them what the prisoner had been ordered to receive. A minute, giving proper directions on this head, has since been made by the committee, which will prevent irregularities of this kind in future; and I therefore only mention the circumstance of the state in which I found this book, to show the necessity of a stricter investigation of the accounts than has hitherto taken place. I found that the prisoner alluded to had received, on his discharge, according to the account in this book, some money and some clothes, in part payment of 3*l.* 3*s.* ordered for him by the committee, nearly, but not quite to the value of what ought to have been paid to him. This transaction took place in Mr. Ryde's time, and the money was supposed to have been paid through him. I have inquired what kind of voucher was produced (when Mr. Ryde settled his account), for the money and clothes given to this prisoner; but the papers connected with Mr. Ryde's account, which was settled by Mr. Thoms, not being at the Penitentiary, the vouchers could not be referred to at the time, and the inquiry has not been resumed.

The necessity of employing Mr. Becher to look into the state of Mr. Webb's accounts, the reports of Mr. Auld, concerning Mr. White's accounts, and the facts which I have stated, connected with the accounts of the steward, will, I presume, convince the committee, that something more is wanted than is now done by Mr. Thoms, as examiner of accounts; but there is still another point connected with this subject, which I wish to bring under the consideration of the committee, I mean the importance of having the business of secretary and examiner of accounts or accountant done at the Penitentiary. At present, if any information is wanted by a member of the committee, of a nature to be furnished by the secretary, it can only be obtained by an application to Mr. Thoms, while the committee is sitting, or at his own house. I do not mean to impute to Mr. Thoms any want of courtesy, or of readiness to furnish information. I have once borrowed his key, to look at minutes kept in a box in the committee room; and he has more than once sent up the minute book to my house for my perusal; but this mode of obtaining information is irregular and inconvenient. If the secretary's business, and the business of accounts were done at the Penitentiary, there would be certain days or hours, during which any paper might be referred to, or question in this department answered; and it is by occasional references to papers or questions as they arise, rather than by making appointments to settle or look into any particular accounts, that a member of the committee can hope to become acquainted with the state of the pecuniary concerns of the establishment. The practice of doing the business of secretary out of the building leads to a very slovenly way of transacting it; the whole of the per centage to officers, instead of being paid to each of them by the secretary, is placed by him in the hands of the master manufacturer in the male prison, and in those of the matron, or deputy matron, in the third pentagon, and by them distributed among the officers entitled to it; but in this latter prison no payment, on account of per centage, has been directed by the committee for a long time, the per centage account for Christmas last not being yet made up, or now in progress; and there is a class of accounts not coming, I believe, at present, within the department of either steward or master manufacturer, consisting of repairs (such as carpenter's bill, locksmith's, &c.) and of some small payments ordered by the committee, which are considerably in arrear. While Mr. Ryde was governor, the mode taken to apprise him of such of the resolutions of the committee as were to be communicated to him, was by handing over to him the foul minutes of the committee, many of which are now in Mr. Couch's possession. Since that time the proper extracts are, I believe, in general given; but the governor has not of late had from Mr. Thoms the materials to form a correct copy of the rules. By a resolution, passed some time since, it was directed, that a printed copy of the rules should be interleaved; and that the alterations made in them from time to time should be noted, and signed by the secretary with his initials; such copy to lie on the table of the committee. This, however, has been omitted of late; and a copy of the amended rules, which I have obtained from Mr. Thoms, is very imperfect. I am convinced that neither Mr. nor Mr. possessed a correct copy of the rules while they were visitors. April 20, 1820.

Mr. Holford.—To show that it was communicated to Mr. Thoms, by Sir Archibald Macdonald, that the committee did mean to make an alteration in the mode in which he conducted his business, I beg to hand in a letter from Mr. Thoms.

[The same was read, as follows:]

George P. Holford,
Esq.

(June 24.)

" Sir,

Great College-street, 7th June 1820.

" I beg respectfully to offer you my most sincere acknowledgments for the very kind and complimentary manner in which you was pleased to communicate to me, the determination of the superintending committee of the General Penitentiary, to impose upon their secretary a daily official attendance, and the examination of all the accounts in the respective departments.

" It is neither my province or intention to observe on this determination; but as the present state of the accounts is urged as the principal cause of these new regulations, I trust it will not be considered irrelevant, in my submitting a few observations thereon.

" It must be in the recollection of the committee, that I have repeatedly called their attention, not only to the unsatisfactory state in which these accounts have been kept, but also to the impracticability of any secretary or accountant to check them, from the irregularity and ineapacity of the sub-accountants.

" Much stress has been laid on the steward's accounts, which have been more methodically kept, both as respects the signature of the officers in the waste book, and the inconsistent results as to the surplus and deficiencies. In respect to the first cause, although I cannot discharge myself wholly from not bringing such irregularity under the cognizance of the committee, yet allow me respectfully to observe, that had the committee (or sub-committee appointed for that purpose) ever condescended for *once*, during the whole period (being upwards of four years) to have looked into the accounts, and pointed out this or any other irregularity, it would most unquestionably have been remedied; although I cannot but agree with Mr. Mellish, that if the steward is determined to act unjustly, and the signature of the receiving officer in the waste book, is to be the only check for the examiner, it will be impossible (without some additional regulations) to detect improper practices.

" In respect to the surplus and deficiencies, the examiner can only check the accounts as they are entered in the ledgers; and if, as in the present case, the master manufacturer does not keep an accurate check upon the receipts and issues, both as regards himself, as well as for the goods manufactured in the prison, which are appropriated without passing through either his or the steward's books, the result must be as at present; and I hope you will excuse my insisting, that the present disordered and unsatisfactory state of the accounts, arises more from the want of proper regulations in the receipt and issues of stores, than in any deficiency or neglect in the due examination of the books.

" Having offered these observations to your notice, I beg to acquaint you (for the information of the committee) that from my other official and professional engagements, it would be impossible (even with any additional pecuniary advantages, which you were pleased to state was in contemplation) for me to undertake the joint offices of secretary and accountant; and being anxious, as I always have been, to assist rather than impede the views and intentions of the committee, I shall be most happy to make any arrangement for withdrawing; at the same time, I feel it an imperative duty to submit to their consideration what I conceive to be a just claim, under all the peculiar circumstances of the case.

" On reference to the minutes, it will be found that it was originally intended to have a secretary and also a *cashier*, and that the committee, previous to my appointment, had made a minute, that at a subsequent meeting they would consider what salary should be given to the *cashier*; but on my appointment the offices were consolidated into secretary and examiner of accounts, with only the original secretary's salary affixed to it of 200*l.* per annum, and to be increased to 300*l.* per annum when the building is finished.

" To hold this appointment I have been compelled to relinquish a superannuation allowance of 170*l.* per annum, and therefore, although I have received 200*l.* per annum, yet virtually the public have only been put to the annual expense of 30*l.* for my services; it may also be observed that I have filled this office for upwards of four years, at the *reduced salary*, and therefore a retirement from it, when the prospect of increase is nearer approaching, is very disadvantageous, independent of the circumstance that my discontinuing it will prevent me applying to the Treasury at some subsequent period, for an increase on my superannuation allowance, on account of further length of public service, uniformly allowed at particular dates, but to which I have not at present arrived, nor will the time of my continuance in the temporary appointment in Cannon-row be allowed me.

" Under these circumstances I am induced to hope, that the committee, in framing their new arrangement will, in consideration of the great saving hitherto made to the public by my holding the appointment, and the disadvantages which must result from my leaving it at this period, grant me such a remuneration on my retirement as they may consider me entitled to.

" I have the honour to be, Sir, your most obedient humble servant,

" Nathaniel Thoms."

" The Right honourable Sir Archibald Macdonald, bart.
&c. &c. &c."

Mr. Holford.—The committee did not think that Mr. Thoms made out any claim to remuneration from them, and none was granted.

Mercurii, 25^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

George P. Holford, Esq. a Member of this Committee, made the following
Statement :

George P. Holford,
Esq.
(June 25.)

MR. THOMS has stated, that the resignation of Mrs. Sharpe arose, in some degree, from similar causes to those which had occasioned the resignation of Mrs. Chambers ; that if any body knows the grounds upon which she resigned he does ; that he was present at the whole time of the discussion respecting her retirement, and that she told him that she resigned in consequence of her disagreement with the chaplain. It is but justice to Mrs. Sharpe to contradict all those assertions, except the fact of her conversation with Mr. Thoms, of which I can know nothing. A meeting was held at Sir Archibald Macdonald's house, in which the ability of Mrs. Sharpe, to continue at the head of the establishment, was considered ; no person ever surmised that she was guilty of any fraud, nor was an objection made to her that she disagreed with the chaplain, though being very much under the influence of Mr. Thoms, and listening too much to his counsels, she did sometimes treat the chaplain with disrespect. The ground on which the committee wished her to retire was, that she did not appear to them to be capable of managing so large and complicated an establishment as the Penitentiary then had become. Mr. Archdeacon Cambridge, who had, at the desire of the committee, inquired for a matron to replace Mrs. Chambers, and had introduced Mrs. Sharpe for that purpose, being satisfied that the opinion of the committee was well founded, very kindly undertook to communicate it to Mrs. Sharpe, who, in conformity with his advice, tendered her resignation ; and the following minute was made on that occasion, Mr. Thoms not being present at this discussion.

[The same was handed in, and read, as follows :]

Extract from Minute of Superintending Committee of General Penitentiary.

“ 30th June 1820.

“ Mrs. Sharpe having tendered the resignation of her situation as matron, in consequence of her health not being equal to the increasing duties of it, arising from the extension of the establishment :—

“ *Resolved*,—That in accepting this resignation, the superintending committee feel it due to Mrs. Sharpe to express their conviction, that she has, ever since her first appointment to her situation, discharged its duties with the greatest zeal and fidelity ; and that she has, to the best of her abilities, acted uniformly with a view to the interest of the establishment.

“ The committee are desirous of recording this testimony to her character, in order to obviate any misconception which may possibly arise, as to the cause of her resignation.”

Mr. Holford.—Mr. Thoms has stated, that when he accompanied the matron into the prison for the purpose of taking down some statements from the women, he confined his examination to their names, ages, where born, and where tried, and that he entered into no narrative or confession of guilt. I produce the book which he made up on that occasion, by which it appears that he minuted down all their secret histories, and narratives of their seduction, and great deal of scandal, which they reported to him concerning other persons.

[Upon the production of the book alluded to, it appeared to contain such particulars as were stated in the answer.]

Mr. Thoms founded his right to go into the prison upon a passage in the rules, by which he is directed to report irregularities to the committee ; this passage, however, did not refer to irregularities in the part of the prison inhabited by the prisoners, but to that part of the prison to which Mr. Thoms had ordinary access ; namely, to that occupied by the superior officers, and to the circumstances that might come to his knowledge out of doors ; such, for instance, as the very frequent absences of the governor, and of the complaints made by tradesmen, that the steward applied to borrow money of them, some of which could hardly have failed to reach the ears of Mr. Thoms, before a tradesman addressed a letter to me upon the subject. Mr. Thoms is as incorrect in regard to the end of this transaction, concerning his difference with the chaplain, as he is with respect to the beginning of it ; he has stated,
that

that no proceeding took place upon it in the committee, and that there was no minute upon it. He is right in saying, that there is nothing in the minutes upon this subject, probably, because he, the secretary, did not choose to record the fact of his having been obliged, by the committee, to make an apology to Mr. Bennett, which they communicated to Mr. Bennett. Of this fact I was informed by letters written at the time by Sir Archibald Macdonald and Archdeacon Cambridge, written to me upon that subject; and I have now a letter from Mr. Archdeacon Pott, which he wrote this morning, in consequence of an application to him from Mr. Bennett, in which this fact is confirmed.

George P. Holford,
Esq.

(June 25.)

[The same was handed in, and read, as follows:]

"Dear Sir,

St. Martin's Vicarage, June 23.

"Mr. Bennett informs me, that it is questioned whether the circumstance of the examination taken by Mr. Thoms in the prison, and the correspondence which followed, was ever before the committee; I perfectly well remember that it was. Sir A. Macdonald and Mr. Becher were present at that committee, and the final adjustment was then made which terminated that affair, by the apology stated to Mr. Bennett to have been made by Mr. Thoms, and its acceptance on the part of Mr. Bennett, who came before the committee upon that occasion.

"I remain, dear Sir, very truly your obedient servant,

"G. Holford, esq."

"J. H. Pott."

Mr. Holford.—In that part of my evidence in which I stated, that quarrels and differences were not frequent among the officers of the Penitentiary, I certainly alluded to the last four or five years, rather than to the commencement of the establishment; we were not fortunate in the choice of some of our first officers, but we were quite aware, that it was not likely that different persons brought to fill situations in a new establishment, of which persons, the committee had in general, no previous knowledge, were likely all to suit us, and we knew therefore that we ought to watch vigilantly over their conduct, to keep those who answered our expectations, and to part with those who appeared to be unfit for their situations; neither could we expect to make a complete system of rules and regulations at once; it was necessary for us to see from time to time, how the few rules which we originally made, should work in the prison, and to observe which of the practices, which grew up there, ought to be prohibited, and which sanctioned by the committee, and adopted into the rules; and those circumstances, therefore, will explain why the different members of the committee should have been a good deal of time in the prison, and why I myself, for a considerable period, did every thing but sleep there; we have, however, long got through the difficulties attending the commencement of this undertaking; we have kept Mr. Bennett, the chaplain, we have promoted Mrs. Wilkinson, and we have got rid of Mr. Shearman and Mr. Thoms, and of some others, of whom, as they have not been mixed with the present inquiry, I shall not now speak; we have framed a system of management, under which, the prisoner neither pines in solitude, nor is suffered to indulge in the pleasures of social life, and forget that he is undergoing the sentence of the law; the Penitentiary would now be in a high state of order and discipline; it would be proceeding in a manner to justify the large expense incurred in the building, and to satisfy the wishes and expectations of the public, if this cruel disease had not come upon us to disturb all our arrangements, and to blight for a time (I trust it is only for a time) those fair prospects; I hope, however, that it will be considered as a proof of the goodness of the system pursued, and of its moral effects upon the minds of the prisoners, when I mention, that although we have to deal with the irritable feelings of sickness, and with the impatience naturally incident to long confinement, we have not at this moment, out of more than 850 prisoners, one single individual, male or female, under punishment.

The Committee have a return before them of the different species of work in which the prisoners are employed in the Penitentiary, have you much fine work in the different trades which are carried on?—Certainly not; we cannot conveniently work for private customers in the trade of tailors, as it would require measuring, which would be very inconvenient, and it would also require a great multitude of accounts; our principal work in that branch, is the making of great coats for the army; there is also another objection to fine work, which is, that the articles are generally valuable, and easily embezzled.

Do you know the number of prisoners employed as tailors there?—231.

If then, those persons at the end of their term of confinement are discharged from the Penitentiary, they will not be able to gain their livelihood as tailors; so

George P. Holford,
Esq.
 (June 25.)

that during the whole period of time for which they have been confined, their work has been of no use in that way?—I do not contemplate the probability of sending out the persons confined in the Penitentiary, to a totally new course of life, but I rather expect that we shall have the means of re-uniting them to such parts of their families and connexions as are respectable; as to work, it has always been the wish of the committee to turn as many into the branch of weaving as possible, it being a much more healthy exercise for those who undergo much confinement than the work of tailors.

Are you aware that it has repeatedly happened, that persons have come from the Penitentiary as tailors, and have been admitted into the refuge for the destitute, having been four or five years confined in the Penitentiary, and who were not able to earn for themselves half a crown a week?—I have no doubt that this must have been the case, both as to tailors and shoemakers, if they could not get employment in very coarse work.

Do you make fine work in shoes?—We have made a very few shoes for some of the officers of the establishment, they paying for them, but that is now discontinued; and I believe we make nothing but coarse work in that line; but I hope soon to discontinue the shoe-making altogether, except so far as may be necessary for the wants of the establishment, as I consider the tools necessary in that work to be extremely dangerous.

Are you aware, that, in some of the larger houses of correction on the continent of Europe as well as in America, there is nearly every species of trade carried on, and that the whole is managed with such silence and decorum, that you may go into an establishment in which there are about a thousand persons, and upon asking any question of a prisoner, you will not even get an answer without the consent of his master?—I have heard those circumstances; but I cannot make out or conjecture in what manner those different trades can be carried on with tolerable convenience, without materially interfering with the discipline of the prison.

The Reverend Samuel Bennett called in; and Examined.

Rev. S. Bennett.

Mr. Shearman, in a late examination before the Committee, has stated that washing was done in the prison for the chaplain; will you explain that matter to the Committee?—When I came to the Penitentiary, a woman applied to Mrs. Bennett to take her washing, in consequence of having been recommended to us by a friend of her's who washed for us in the country, at the place where I resided; we gave her our washing. I cannot exactly say how long, but not many days afterwards, Mrs. Bennett told me that she had been applied to by the officers of the Penitentiary to send our linen to the laundry; I said I did not know what she could do, after having engaged the poor woman to wash our linen. Mrs. Bennett said they seemed to expect we must give it them; I said, if that was the case, she had better send a few articles of linen to be washed, that I might first of all know whether they washed cheaper than the poor woman who applied to us; that I rather thought they might charge more. It went on so for two or three weeks; and then I inquired of Mrs. Bennett whether she had paid for the washing, or knew what they charged for it. She replied no, that they had not given her any account; and I was very anxious that the account should be stated to us what we were to pay; but soon after that Mr. Holford called upon me one morning, and told me that he had found out, that the washing was done in the laundry for all the officers of the establishment, and my linen among that of others. He said good-humouredly, you are in the scrape as well as others. I said, Yes, that they had certainly part of it at least, and that I was rather doubtful about it, because I did not know what they would charge. I then, at the next meeting of the committee, thought myself bound to state to them that my linen was washed there, but under the idea that I was to pay for it. That is all that passed in the committee room. Not long after, it became the subject of conversation among the officers; and I remember that Mr. Shearman, who was then governor, stating to me, that all would have gone on perfectly right, as to the washing, if I had not spoken to the committee about it, and laughed at me for having done it. No more linen was sent from my family; there the matter ended, and I heard no more of it.

Will you state the circumstances of the letter you received from Mr. Thoms on the subject of the communication made by you to the matron, that you thought Mr. Thoms had no right to go into the prison?—This is my journal of September the 16th, 1817: "Mentioned to the matron, that I considered the personal visits of
 " the

Rev. S. Bennett.

(June 25.)

“ the secretary, in the female pentagon, for the purpose of examining the prisoners in order to form her character book, as irregular, and in some degree as an interference with my duty as chaplain; conceiving, that any questions touching their former life, &c. should be put to them in the most delicate manner by myself, or the matron, and not by the secretary, who, by the regulations of the establishment, does not appear to have any concern with the interior of the prison, and of course should be a perfect stranger to the prisoners. In stating this circumstance to the matron, I remarked, that although I thought it irregular for the secretary to go into the female prison, yet I felt much pleasure at hearing he was lending his assistance as to the completion of her character book, which I trusted would be found very useful to the establishment; and added, that I had heard it highly spoken of by the members of the committee, as far as the characters were then taken. I do not therefore conceive, that my communication with the matron, whom I presume was the proper officer to communicate with in the first instance respecting the female part of the prison, the governor himself not being allowed to enter that part of the prison without the presence of herself and the task-mistress, ought to have caused the writing a letter couched in the terms the secretary has been pleased to express himself in to me, as a clergyman particularly, so as I stated my objections to the matron in regard to his going into the prison without the sanction of the committee in a friendly manner, and not with the least idea of giving any offence. September the 17th. Received a letter from the secretary respecting his visits to the female prisoners, inclosing this statement, which I should not have laid before the committee, had I not received a letter from the secretary, written in terms I had reason to complain of, when I considered I had endeavoured, in every possible way, sometimes at the risk of my health, to discharge my duty in the laborious and important situation I am placed in. I cannot help adding, that, if I am to be subjected to the receipt of such a letter from the secretary, or any other officer of the establishment, without the authority of the committee, my labour and influence in the Penitentiary will be of little avail, and the character and office of a clergyman degraded in the establishment where it ought to be respected and supported.”

Have you a copy of the letter?—I have the original letter.

[The same was handed in, and read, as follows:]

“ Sir,

Penitentiary, 17th September 1817.

“ The matron having communicated to me your opinion on a supposed irregularity in my official conduct, I beg to acquaint you, that for the due performance of my duty here, I am amenable to the honourable committee, and to them only; and I beg it to be distinctly understood, that if any officer of this establishment considers me acting improperly, they will bring it under the consideration of the proper persons who are to decide upon it, and not insinuate it among the other officers. I have uniformly endeavoured to merit the good opinion of the committee, and of every officer of this establishment; and I have, at the sacrifice of considerable time and labour, assisted, rather than impeded the business of the establishment; and in respect to the supposed irregularity in question, I feel confident of receiving the committee's approbation, rather than censure.

“ I am, Sir, your most obedient humble servant,

“ To the Rev. Samuel Bennett,
Chaplain, &c. &c.”

“ Nathaniel Thoms.”

Do you think if the secretary was allowed to go round the prison, and to have confidential intercourse with the prisoners, it would be possible for you to be useful there?—As far as regards myself, I should retire; I could not go on; I should state that what led me to speak to the matron upon the subject of Mr. Thoms' going in there was, a remarkably well behaved young Irish woman, a married woman; she had been a considerable time there, some months; so long, that I was very much inclined, as far as I could, to recommend her to the attention of the committee, that led me to question this poor woman upon some circumstances, as to her former conduct in life and the nature of her crime; she immediately flew into a great rage and was quite astonished I should question her about her former life, for she had been questioned quite enough about it by Mr. Thomas; she called him Thomas; what did I mean by it; I then asked to whom she alluded, she said Mr. Thoms had been there with the matron, to take down the character of the prisoners; very soon after I met with Mrs. Sharpe, the matron, and I related what I have read from my journal; that was the conversation that passed, which I have stated before.

Rev. S. Bennett.

(June 25.)

You spoke to Mr. Holford upon that subject?—The next morning I received the letter I have given in from Mr. Thoms; nothing more passed with Mr. Thoms; I saw him that night, I suppose he was not then informed of it, and in the morning I received that letter.

Did you write to Mr. Holford?—I did, immediately; and he wrote me an answer returning the one I have sent him.

Have you any reason to believe, from your correspondence with Mr. Holford, that he ever supposed Mr. Thoms assumed the right to go into the prison?—No.

Have you Mr. Holford's letter?—I have.

[*The same was delivered in, and read, as follows:*]

" My dear Sir,

" Your letter of the 17th did not reach me in time to be answered by return of post.

" There can be no doubt, but that your communication with the matron was in the strict line of your duty. The rules desire you, in page 18, '*to confer with the governor and matron on any matter connected with the welfare of the prisoners;*' and surely a question concerning the persons who may have intercourse with them is of that description. The matron is also, on her part, directed, page 15, '*in case of any doubt or difficulty to request the advice of the governor or chaplain, or either of them.*' If Mr. Thoms had a right, therefore, to visit the prison, he could have no ground of complaint, in your considering that question with the matron; still less can he be justified in addressing a letter to you in a tone and style which would hardly be decorous from a person of your own rank and station in life. If you had spoken to Mr. Thoms yourself upon the subject of your conversation with the matron, he would probably have told you, that he was not to receive directions from the chaplain; and if you had brought a complaint, in the first instance, before the committee, he would, with some reason, have complained of unkindness. I take it, however, to be quite clear, that Mr. Thoms has *no right whatever* to visit the part of the prison appropriated to the prisoners, and I should feel objections (on grounds which it is not necessary now to state) to his having any such privilege. When this matter comes to be considered, he will probably say that there is no *express rule* which authorizes any member of the committee to visit (not being the visitor) and that he stands therefore upon the same footing with a member of the committee, the rules being silent in regard to his admission. There is a defect in the rules on this point, they should have distinctly authorized the individual members of the committee to inspect the prison, and this omission ought to be supplied in our next edition; but the 13th rule, title, '*General Management of the Prison,*' page 63, does indirectly authorize members of the committee to visit, by allowing strangers to go round in their company; it has been always intended and understood that members of the committee should inspect, but it never was intended, to my knowledge, that the secretary should do so. I should have said, previous to the receipt of your letter, that Mr. Thoms never conceived himself to have any such right. He told me incidentally, that he had only been round once during my late absence from town, and that in company (I think) with Mr. Archdeacon Pott, and he said this in answer to an observation of mine, that he could have no opportunity of knowing what passed in the interior of the prison. I knew that he wrote the matron's character book, but I thought he only copied or arranged the information he received from her or found in the minutes. I do not think it right that the secretary should have authority to question prisoners concerning their former life or connections.

" To come now to the course which you ought to pursue; I hope you have not returned any answer to Mr. Thoms's letter; I should certainly inclose it to Sir Archibald Macdonald, stating, that I felt myself treated with disrespect on an occasion in which offence ought not to have been taken by the secretary, as I was acting in the strict discharge of my duty; that I was not desirous of bringing a complaint formally before the committee, and did not think myself called upon to enter with Mr. Thoms upon a controversy in writing, which did not promise, from its commencement, to have a very satisfactory termination, and that I therefore took the liberty of applying to him for his advice or interference. I have no objection to your mentioning that in making this reference, you act by my advice; and you may make any use of this letter you think proper.

" I am, your's most truly,

" Leamington, Sept. 19, 1817."

" G. Holford."

Did you communicate with Sir Archibald Macdonald upon that subject?—I did.

Was there any proceeding in consequence before the committee?—There was.

Can you state what passed upon that occasion?—When I waited upon Sir Archibald Macdonald, he was satisfied that it was a very uncivil letter, and that it was necessary to complain to the committee that I had received such a letter; when the committee met, I was called into the room, Mr. Thoms not being present; Sir Archibald Macdonald stated to me, that the committee had looked at the letter that Mr. Thoms had addressed to me, and that they had read the minute in this journal, which I have just stated; and that he believed, that Mr. Thoms thought he wrote with great warmth of temper at the moment, and that he thought I should not

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not wish to press the matter very much with the committee, if a proper apology was made to me; I said very far from it; if Mr. Thoms would assure any one of the committee, that he had no intention of conveying any disrespect or offence in writing the letter, which I considered written in intemperate language, I did not wish to put him to the painful task of apologizing personally to me; but I should be satisfied, if he would say that he had acted wrong, to any one member of the committee; I then left the room, and was very soon called again before them, and informed by Sir Archibald, as the chairman of the committee, that Mr. Thoms had apologized for sending the letter, and after that the matter ended; Mr. Thoms was very civil to me afterwards.

How long have you been chaplain to the Penitentiary?—I have resided there from the day it was opened, the 24th June 1816. I was appointed in March 1816.

Did you make a personal application for the appointment, or was it tendered to you?—It was tendered to me in October 1815.

Who made the application to you to take that situation?—The Bishop of London, with whom, at that time, I was not much acquainted. I had met him upon matters respecting my own living, so that I received the letter from him with some surprise; it was couched in the most handsome terms.

Where did you reside previously?—At Springfield, near Chelmsford, in Essex.

Did you officiate in the gaol at Chelmsford?—Yes, for a friend there, not for any emolument; for twenty years I was in the habit of going into the gaol.

Did you receive any mark of approbation from the magistrates for your attendance?—Yes, I did, certainly; when the magistrates found that this appointment was offered to me, Sir John Tyrrell, baronet, the visiting magistrate, with a Mr. Hule, wrote letters to me, requesting I would show those letters to Lord Sidmouth.

Were you personally known to Lord Sidmouth?—I had an interview with Lord Sidmouth; I hesitated whether I would take the appointment. I had an interview with Lord Sidmouth, and left him with a promise to take it; and I have been personally acquainted with him since.

Have you had any testimonials from Lord Sidmouth, approving of your conduct?—He has repeatedly told me he approved of my conduct, and was obliged to me; and I have had letters from him to the same effect.

Did the Bishop of London ever communicate to you his approbation of your conduct?—Yes, he has.

Did he give you your preferment?—No; Bishop Porteus.

Had you any preferment in the church before you were appointed chaplain to the Penitentiary?—Yes, by Bishop Porteus, but it was a very bad country, and I was obliged to leave it; and I resided at the curacy of Springfield, which led me to visit the gaol.

When you left your parish, in which you officiated as curate, was there any particular mark of respect shown you by your parishioners?—Yes, there was; they sent me a piece of plate, with an inscription upon it.

What is the nature of your duty in the Penitentiary?—That of doing the duty of the chaplain, and constantly visiting the sick, and reading prayers every day in the infirmary; and in constant attendance, I may say, from morning to night.

Even at that period when the establishment was healthy?—Yes, constantly; I am as liable to be called upon in the night as the day.

Do you not, independently of visiting the sick, go about from cell to cell to see persons who you think require your assistance?—Yes.

Are not the prisoners in the habits of unbosoming themselves to you, and confidentially reposing in you all the secrets of their past life?—Yes, they do, certainly.

It is in your hands to give permission to the prisoners to see their friends?—Yes, those in the infirmary, but in the prison by the consent of the governor.

Application is made to you first?—Yes; I never refuse, unless the prisoner has behaved ill; nor would it be even then in case of sickness.

All letters that come in or go out are read by you?—All letters that pass from the prisoners to go out, go through my hands in the first instance, to the governor; and all letters that come in for the prisoners, come through the governor's hands to mine.

Are they read by the governor?—Yes, and sent to me. If I find, on reading letters, information of the death of their friends, then I go with them myself.

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Does any other person read the letters?—No. I have a box on purpose, which locks, that goes round the prison; they are allowed certain times to write, upon asking my leave to write. The turnkey goes round the prison with a box, and I have the key of it; then they go to the governor in another box; they are not seen by any other persons but the governor and me.

In point of fact, are you not the principal person to whom the prisoners apply, if they have any request to make, or any grievance to complain of, or any thing to tell?—Certainly; if a prisoner thought himself under punishment he would speak to me; or if he thought himself aggrieved by any officer.

Are you accustomed to visit persons under punishment?—Yes, I am.

Do you visit those who are under the punishment of solitary confinement daily, or oftener?—Sometimes oftener, but not regularly every day; when they are under punishment for any serious offence, I should visit them very frequently.

In point of fact, have not the greater portion of the prisoners in the Penitentiary, confided to you the whole history of their past lives?—Yes; one of them made a discovery to me some time ago, by which a gentleman got a great deal of property back that he had lost.

When prisoners apply, after having been out one year, for the reward given by the committee to those who can produce testimonials of good behaviour, do not the committee refer to you, to make inquiry, if they have any doubt respecting the testimonials?—Yes; and I may say also, there is scarcely a day that I have not letters from the prisoners or their connexions.

Have you much satisfactory information to give the Committee upon the subject of the receipt of letters from discharged prisoners, setting forth the propriety of their conduct since their discharge?—Yes, the greater part of them are very satisfactory.

More particularly from the females?—Yes, I think rather more from the females; in fact, we had discharged more females than males, and I frequently, in going along the streets of London, am stopped by many persons who have been in the Penitentiary, stating, they are in good situations, and so on.

And having an appearance, indicating that their statement was true?—Yes.

So that the Committee understand you to say, that as far as you have any information of the discharged persons, that the system, as long as it has lasted, has produced general good?—Certainly.

Have you persons of many different religious persuasions?—Yes; but I have never met with any that have expressed a wish to be attended by any other minister but myself, except Roman catholics.

Have the Catholics any opportunity of that kind?—Yes, there is a priest who regularly attends.

Have you any Quakers in the Penitentiary?—No, not now; we had two, one died and the other received a free pardon.

Did they object to receive your assistance?—No; the one that died, wished me to baptize him; I declined it, and I had a communication upon that subject with some of his friends.

The Committee believe, that you recollect the case of Mary Turner?—I do.

She was recommended by the medical gentleman, to be removed from the Penitentiary for change of air, and it was therefore suggested, they might apply for a pardon for that prisoner?—Yes, I recollect Dr. Hutchison speaking to me upon the subject.

Do you recollect, whether you had not some correspondence with her friends upon the subject of her removal?—Yes, I wrote to a Miss Miller, the daughter of a clergyman in the country, who had interested herself very much in her fate.

Did it not appear, that if she had been removed, there was no place to which she could have gone, but the workhouse?—Yes; that they would take great care of her in the workhouse, but that her mother-in-law was so bad, that they could not send her to her.

[The following paper was delivered in, and read:]

“ AT a Meeting of the Superintending Committee, 17th April 1822.

“ Present:

E. B. Wilbraham, esq. M. P. in the Chair.

George Holford, esq. M. P.

Reverend T. Rennell, B. D.

William Courtenay, esq. M. P.

Charles Bosanquet, esq.

“ A report

"A report on various matters connected with the medical department, by Doctor Hutchison read, and thereupon resolved,—That in regard to Mary Turner, there appearing great difficulties in the case of her removal, the committee do not think it advisable at present to recommend her for discharge from the Penitentiary."

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Mary Turner was capitally convicted?—Yes, for stealing a quantity of valuable jewels.

Does the Catholic chaplain attend regularly?—Not very regularly.

How many Catholics should you suppose you have?—About seven, eight, or ten. When they come in, they state to the governor of what religion they are; and if Catholics, the priest attends them; but he is very irregular in his attendance, and he desires them not to attend my chapel; if they do not, they must be locked up; they get tired of that, and then they say, rather than be locked up, as their priest comes so seldom, they will come to our chapel.

Have you any Scotch presbyterians?—Yes, we have some.

Do they make any objection to attend divine service?—Not the least; we lost a very interesting Scotch woman some time ago, which I gave Mrs. Fry an account of, which she published.

Have you any Jews?—We have two Jews, and one Jewess.

What do you do as to them?—They have always wished to visit the chapel; they are attended by their Jew friends.

Have they their meat during the paschal lamb?—Yes; I waited upon the high priest, to consult upon the best way to deal with them, and he sends to us in the holidays to tell us what they are to do; the high priest wished them rather to attend the chapel than not, that it would do them no harm; and the Jews have expressed to me very great gratitude for my attention to them all the way through.

What books are distributed in the prison?—The books in the catalogue of the Society for promoting Christian Knowledge.

Are those books principally religious and serious books, or any thing of a lighter kind?—They have introduced now a few books, such as Robinson Crusoe, and those they have admitted.

Do you mean biblical history?—Yes, and Robinson Crusoe; and several other little books they have drawn up.

Are those books of a lighter kind than the biblical history given at your discretion to the prisoners?—Yes, they are.

Have you ever any applications made to you by prisoners for books of another description, of a still more learned character?—Yes, I have; it may not happen in many instances; perhaps two or three.

Have you ever had applications made to you for permission to read the Greek, Roman and English histories?—No, I have not; but I have had applications for Latin books, and I lent one prisoner out of my own library a Latin grammar and a Latin book, and he can read it now remarkably well.

You consider it in your discretion to give to the prisoners such books as you think necessary for the state of their minds?—If I lent a book, I should make it known that I had lent it; if I found a particular book in my own library, I thought applicable to a particular individual, I should lend it him; if I found a prisoner in a state of despondency, if I had a book I thought would be of service, I should lend it.

Do any of the prisoners occupy themselves much in the study of arithmetic?—Yes; they are allowed books of arithmetic.

Are there not at this moment some of the prisoners, who have advanced themselves very high in common arithmetic, as high as simple equation?—Yes; and on algebraic questions; I remember a boy prosecuted for taking two canary birds from his master; when he came into the Penitentiary he could read very little, and after being in the Penitentiary two years, he was able to read and write, and cast accounts; I thought well of him, and I called upon his master whom I found to be a wire-worker, over Westminster bridge, a very decent man; I told him the story, and he said he was sorry afterwards that he was transported, and he would take him into his service again, if I could get him a pardon; I did get him a pardon, and he is now with his master doing well; his master being quite delighted with him, because he was taught to read and write and cast accounts.

Has the chaplain any control over the secretary?—No, not at all.

There is no regular communication between them?—No.

Do you recollect the time that Mr. Thoms acted as secretary?—Yes.

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Did you approve or otherwise of his conduct generally, in that situation?—I had no opportunity of giving an opinion one way or the other; I knew so little of him at that time.

Had you ever any communication with the porter respecting Mr. Thoms's conduct?—Certainly not; that was stated here the other day, and I asked the porter about it; he is a respectable man, he lived with Mr. Hatsell eighteen years; and if Lord Sidmouth came to the Penitentiary, he would speak to him; I have asked him about it, and he says, I never did talk to him upon the subject.

Does the porter officiate as clerk at the chapel?—Yes.

Was not it contemplated once to unite the offices of chaplain and secretary?—I never heard that; I should not have taken it certainly; I have more need of assistance.

Have you many Scotch people?—No, not many; for two or three years we had not any Scotch; I remember a Scotch clergyman going round, and he was very much pleased with not finding a single Scotchman or woman there; but on going out of the gate in the reception room, he found one Scotchman.

Do you preach twice on a Sunday?—I have done so till lately; but owing to the immense number of sick, I have been obliged to have a clergyman to assist me.

During the last six months your duties have been very arduous?—Extremely so; no body can say what I have gone through, I was four hours by my watch in the sick rooms last Sunday; it is hardly possible to describe the scenes I have gone through this last six months.

Have you ever been obliged to call in assistance?—Not till the two last Sundays.

Do you find your health impaired?—I do now; the fatigue has been incessant.

And anxiety of mind as well?—Yes; I am with them at the moment they are dying, which is very distressing.

Were there not at some periods a considerable number of Scotch prisoners, who could not either read or write?—I think the greater part of the Scotch prisoners (we have had very few) could not read or write.

But on leaving you, they have been taught both?—Yes; that has always strengthened my own opinion as to the education of the poor, for I am satisfied the more they are educated, the less will be the quantity of crime; because those people come from a remote part of Scotland, where there was no education; there is no punishment so great to the prisoners in the Penitentiary, as keeping them back from the school or the chapel.

Alexander C. Hutchison, M. D. was again called in; and further Examined.

Dr. Hutchison.

HAVE you any observation which you wish to make to the Committee?—Yes, I have; I have written out a few observations on a piece of paper, which I beg to read; and I have the documents here to confirm them.

[The same was read as follows; with the documents alluded to in the same.]

“Before the Select Committee close the admission of evidence, I beg to advert to two points which may require further elucidation. It is evident from Mr. Courtenay's deposition, that the real cause of my dismissal from the Penitentiary, resolves itself into the two points to which I am now to advert; 1st. That I had communicated to Mr. Secretary Peel, copies of certain statements addressed at the same time to the managing committee, which communication Mr. Courtenay, and perhaps the other members of the committee, imagined to be substantially in the nature of a complaint to Mr. Secretary Peel of their conduct; for he good humouredly stated, “that he did not like to be tried by Mr. Secretary Peel, “upon the indictment of Doctor Hutchison.” In the second place it is stated, that I could not effectually perform the duties of my office, unless I held a good understanding with the other officers of the prison, especially the chaplain and matron.

In answer to the first point, I beg leave to observe, that my communication to Mr. Peel was by no means, of necessity, as Mr. Courtenay infers, a complaint against the managing committee, neither was it in fact or intention any such thing. The real truth is, that Mr. Secretary Peel finding a discussion about to arise on the subject of the Penitentiary, applied to me for information in the first instance; with which application it was certainly my duty, as an old servant of the crown, to yield immediate compliance. When the discussion alluded to did take place, it certainly appeared to me and others, that sufficient justice had not been done on that occasion to my exertions in the Penitentiary, and I really thought the managing committee more than lukewarm in that respect. My application therefore to Mr. Peel was, very naturally, to request that he would supply the omission; that application (which was made only ten days after the interview he had requested with me) arose obviously from the part he had taken in the discussion in question *as a Member of Parliament*; but quite the contrary, and *toto cælo* different from a complaint to him in his capacity *as the King's Secretary of State*, of the conduct of the managing committee of the Penitentiary,

Penitentiary, in respect to their execution of the duties committed to them. In short, I never did impeach the conduct of the managing committee of the Penitentiary before the tribunal of Mr. Secretary Peel, or any other person, until *after* the committee gave me notice of dismissal, on the 12th April last, all which will be completely substantiated by my correspondence with Mr. Secretary Peel, which I beg leave to hand in, (No. 1, 2, 3, 4, 5.)

In answer to the second point, it is not to be denied, that having unfortunately been led to think the chaplain, and knowing the matron to have been concerned in propagating a calumnious report against me in June 1822; I could not entertain that cordial respect for them which I always did previously to the date last mentioned; but I beg leave most earnestly to deny the omission of any communication with either of them, which was in the smallest degree necessary to the well being of the establishment. With the chaplain my duties very seldom interfered, and personal intercourse could scarcely ever be necessary. With the matron, surgeon, and other inferior officers in the infirmary department, I had most certainly, and I add, with civility and propriety, every intercourse necessary to the discharge of our respective duties, and communicated with them freely and unreservedly on every point of service. I beg to say, that I am warranted in assuming this much, for I never, on any occasion, heard from the committee, visitors, or any other quarter, a single hint, much less an admonition, that further communication with any one of those officers was desirable.

One other point, before conclusion, I beg to touch upon. I have already expressed to the Rev. Mr. Bennett, my great regret that I had erroneously conceived him to have been one of the authors of the report against me, but I beg this honourable Committee to recollect, that the managing committee of the Penitentiary had, through Dr. Granville, given up to me the name of Mr. Bennett as one of my accusers, and I could not therefore be aware, that in this respect the committee were mistaken so exceedingly; for it is now in evidence, that Mr. Bennett not only uniformly denied to the visitor his belief in the accusation against me, but that he never was even examined by the committee on the subject."

— N° 1. —

" Mr. Peel presents his compliments to Dr. Hutchison, and requests that he will be good enough to call upon him here on Monday next, at one o'clock. Whitehall, Saturday, 1st March."

— N° 2. —

" Thursday at three o'clock.

" Mr. Peel presents his compliments to Dr. Hutchison; it was owing to an unlucky mistake that Dr. H. received the message he did from him this morning, and that Mr. Peel did not see him. Mr. Peel has to request that Dr. H. will be good enough to call here as soon as he conveniently can. The information Mr. Peel particularly wishes for, is the proportion of sick in the Penitentiary at this time, compared with any other, say January last; likewise of those now sick, the number of males and females. Whitehall, Monday, quarter past two. If Mr. Peel should not be in the way when Dr. H. calls, Dr. H. will be good enough to see Mr. Hobhouse."

N° 3.—Copy of a Letter to Mr. Secretary Peel by A.C. Hutchison.

" Sir,

" Spring Gardens, March 15, 1823.

" The recent discussion in the House of Commons, respecting the Penitentiary at Milbank, has so materially affected my professional character, that I am compelled to entreat of you to read my correspondence, from which you will see what I have had already so much reason to feel, that I am not likely to have my reputation vindicated by the committee. It is the opinion of my friends, that those papers ought, in common justice to me, to be laid before the House, *with* the report of the two physicians; as to this, however, I am fully satisfied with leaving my case in your hands; if you think it expedient to move for them, I can desire nothing else; but if otherwise, I must entreat the favour of you to fall upon some other means of doing me justice in the House, so that my character may not fall a sacrifice in any contest that may arise between the committee and other persons.

" I have the honour to be, &c. &c.

" Right Hon. Robert Peel,
Secretary of State."

(signed) " A. Copland Hutchison."

— N° 4. —

" Sir,

Whitehall, March 15, 1823.

" I am directed by Mr. Secretary Peel, to acknowledge the receipt of your letter of this day's date, in which you request, that he will either lay the correspondence therein inclosed, before the House of Commons, or take some other means of vindicating your professional character to that House. And Mr. Peel desires me to acquaint you in reply, that nothing which has passed in the House of Commons, tended to throw the slightest imputation upon your professional character; nor has any communication been made to him, directly or indirectly, imputing the present disorder in the Penitentiary, to your want of skill or attention.

" I have the honour to be, Sir, your most obedient humble servant,

" H. Hobhouse."

Dr. Hutchison.

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— N° 5. —

“ 7, Spring Gardens, April 9, 1823.

“ Mr. A. Copland Hutchison presents his respectful compliments to Mr. Secretary Peel, and begs permission, as he has laid before Mr. Peel his former correspondence with the committee of the Penitentiary, to add to that a copy of a report which he yesterday sent to those gentlemen.

“ To the Right honourable Robert Peel,
&c. &c. &c.”

Were you ever consulted professionally by Mrs. Wilkinson, the matron, within the last twelve months?—Yes; the surgeon, on going round my monthly visit of the prison, called my attention to a pain she had in her loins, for which I then prescribed; I afterwards asked her, two or three times, how she was from the remedy I had applied, telling her at the same time, that the probable cause of this affection was her standing too long on the cold stones in the passages.

What was the date of that consultation?—October or November last, I am not certain which.

Had you held conversations with her within that period, concerning the health of the prisoners?—Two or three times.

Have you ever attended, professionally, upon any of the nurses?—I have; as frequently as they were ill, I gave my professional assistance to them.

How frequent was that?—They are both very great invalids, particularly Mrs. Barnacle; she has been laid up for weeks together with inflammation of the lungs, and asthma.

It appeared in evidence, that a suspicion might arise that you were not, in your treatment of the female prisoners, kind to them; have you any thing to say to that assertion?—I have to state, that the nurses took partialities for certain convicts who had been up in the infirmary as patients, and that they had endeavoured, in several instances, to retain such convicts longer in the infirmary than I considered they ought to be retained; and I have, on several occasions, ordered those persons down to the prison, by which I gave those nurses offence, and the prisoners too; I may mention the names of two, Sarah Mitchell, and a woman of the name of Thomas, who were great favourites with Mrs. Cowsey, and the other woman.

Did you ever make any complaint to the visitors?—No, I did not; being at the head of the medical department, I wished to make as few complaints as possible; I took a great deal upon myself, and thereby incurred a heavier responsibility than was necessary perhaps.

You considered yourself at the head of that hospital, as you would if you had been officially employed as a surgeon in His Majesty's service?—Undoubtedly.

And you gave orders and directions, as you would have done under those circumstances?—Precisely so.

Do you recollect a young man of the name of Skipping, or some such name, being up in the infirmary for many months in the last twelve months?—I do.

What was his disease?—Consumption.

Was he dangerously ill?—Yes, we expected him to die every day.

Is he quite recovered?—Yes; and he was, when I left, the fattest of the patients in the infirmary.

Do you recollect a young woman of the name of Cinterberry?—Yes, I do.

What was her disease?—I cannot tell, it is many years since; she was brought to the brink of the grave, and we had given her up as a lost case, but she recovered in consequence of the treatment then adopted, and good nursing; and I believe, has only recently left the institution.

Did the committee usually acknowledge the receipt of your official correspondence with them?—No, I do not think I had more than two or three letters ever acknowledged during the seven years I was there.

Did they not, within your knowledge, make minutes of what passed, and see you upon the subjects of your letters?—No, I cannot say they did.

Did they ever give directions in consequence?—It was impossible for me always to be aware, whether the suggestions made by me were adopted or not; I recollect sometimes seeing they were carried into effect, at other times I could not see it.

Do you conceive it to be part of your duty, to visit the nurses and officers in the institution?—The nurses, not the superior officers; the nurses and the inferior servants.

Would

Would the porter be included in it?—If he remained within the walls, I should presume he would.

Did any conversation ever pass between you and any member of the committee, concerning Mr. Pratt?—Yes, there has.

Who was that member?—Two or three, Mr. Holford and Mr. Wilbraham both.

What was the part you took?—I said every thing I could; I could not say he was a bright man, I said he was sober and attentive to his duties, and as much of him in that manner, as I thought was but right and just.

Do you consider that report of your's, as having served him considerably?—I do; Mr. Wilbraham also conversed with me upon the subject of Mr. Pratt; and he said the committee wished to get rid of him, and that they wished me to be the organ, which I did not like; and I recollect mentioning the circumstance to Mr. Holford too, that I did not like that the task should be imposed upon me; if they found cause for his removal, they had better do it themselves; if I saw any error in his medical conduct, it was my duty to mention it. I wrote a letter to Mr. Wilbraham, after I had been requested to correspond confidentially with him upon the subject; I showed my first report to Mr. Pratt, as I thought it but right to do, and I told him he could never see any such remark again, that I was bound to comply with the directions of the committee.

It has been stated in evidence by Dr. Granville, that lemon juice and chalk mixture could not chemically agree in the stomach; and it appears in your own evidence, you prescribed chalk mixture and opium at the time you were giving lemon juice; and in that of Dr. Roget and Dr. Latham also, that they prescribed the *hydrargyrus cum citra*, while they were giving lemon juice; did you ever witness any bad effects from this supposed chemical agency?—The fact is, that the lemon juice and the chalk mixture and the mercury with chalk, were not given at one and the same time, and their not being given at one and the same time, makes a very great difference; there were three or four hours between the exhibition of one medicine and the exhibition of the acid, so that no chemical effects of the nature described by Dr. Granville, could be possibly expected to arise from that circumstance.

Was not the first prisoner that had the scurvy, of the name of David Jones?—It was.

Did you give him mercury for his complaint?—No, I prescribed the mercury for that man on account of a diseased spleen, with which disease he came into the infirmary.

Was he salivated?—No, he was not.

When you gave him the mercury for the spleen, you were not aware of his having a scorbutic tendency?—No, nor for a fortnight afterwards.

Did you ever give your consent to the new dietary established in July last, either to the committee as a body, or any of the visitors?—Never.

The Committee distinctly understand you to say, that neither to Mr. Courtenay or any other visitor did you give them to understand that you concurred in that dietary, even as an experiment?—Never; I have stated when I have been asked in the committee and out of the committee, whether I considered the newly established dietary had any injurious effects upon the health of the prisoners, that I had as yet seen none up to the 8th or 10th of January last; I stated that to be my opinion on all occasions.

Practically speaking, you told the committee you did not conceive the prisoners health had suffered by the dietary; but that you never stated your approbation of that dietary?—Precisely so; I stated from one month to the end of two years might be requisite to ascertain whether the dietary was proper or not.

[The following letter was delivered in, and read:]

“ Sir,

Parliament-street, June 24, 1823.

“ At the request of the committee of the General Penitentiary, I have procured the accompanying extracts from the burial registers of St. Margaret's and St. John's, Westminster. It will be seen, that the number of deaths during the last winter, viz. from November to March, in each parish, far exceeds those of the two former winters; and more especially in the parish of St. John's, although containing a much less number of inhabitants, and is nearly on the same level with the Penitentiary. Although in former winters, and particularly during the severe and continued frost in that of 1814, the worst specimens of scurvy have occurred in St. John's parish, yet I have not been able to trace any well marked case during the present winter, which has been unusually severe; and this I mainly attribute to the abundant supply of clothing, coals and food, which has been supplied to the out-door poor of the parishes during the inclement months. A report was in circulation that diarrhoea had

prevailed among those who resided on the banks of the Thames. This report has been founded in truth; diarrhoea in its simple form was prevalent during December and January, in the Battersea and Fulham districts, but readily yielded to the ordinary remedies adapted for the removal of that complaint. The question respecting contagion is difficult to answer; the general medical opinion is, it is not so. I have much gratification to add, that the diarrhoea which has long prevailed in the Penitentiary, is rapidly on the wane; and from a minute examination throughout the whole establishment this morning, I have every reason to think, that the disease, in a very short period, will no longer exist.

"I am, Sir, your obedient servant,

"Mr. Auld, Secretary,
General Penitentiary."

"Anthony White, Consulting Surgeon."

Augustus Granville, M. D. further Examined.

Dr. Granville.

(June 25.)

HAVE you any observation to make to the Committee, respecting your former evidence?—Yes; I stated in my evidence, that if the average quantity of animal matter employed in the dietary of the committee of July 1822, for each prisoner during the week, had been divided into two equal portions, and given every Sunday and Thursday as solid meat, dressed or stewed, instead of being diluted in seven quarts of broth, with bread and hot gruel, or potatoes instead of it, every other day besides, that the scurvy and diarrhoea would not have occurred at the Penitentiary; I then supported my assertion by a reference to the diet used in the prisons in Paris. I have since found the official document on which my position rested; I shall be happy to lend it to the Committee, and to translate that part of it which more particularly refers to our present case.

"Prefecture of the department of the Seine.—Dietary for the use of the seven following Prisons, under the direction of the Prefect:—

Saint Pelagie (presumed mean population)	-	-	-	-	250
Grande Forse	-	-	-	-	250
Petite Forse	-	-	-	-	450
Les Madelonettes	-	-	-	-	250
Saint Lazare	-	-	-	-	650
Bicêtre	-	-	-	-	700
Conciergerie	-	-	-	-	120
					<hr/>
					2,670
					<hr/>

For Prisoners in Health.

S. 1.—Not condemned to labour (per diem).

Bread, of $\frac{3}{4}$ wheat $\frac{1}{4}$ rye - - - 1 $\frac{1}{2}$ lb.

Water.

Rumford soup, 1 pint.

The Rumford soup to be thus made; for every 100 prisoners:—

Vegetables	-	-	-	10 lbs.
Dry pease, or French beans	-	-	-	8 quarts.
Lard, or butter	-	-	-	3 lbs.
Salt	-	-	-	3 oz.

The whole to be boiled in a sufficient quantity of water to supply each prisoner with a pint of soup.

S. 2.—Prisoners condemned to labour, who refuse to work.

Bread ($\frac{3}{4}$ wheat, $\frac{1}{4}$ rye) - - - 1 $\frac{1}{2}$ lb.

Water, ad libitum.

S. 3.—Prisoners condemned to labour, and working, including those who work without being condemned to labour.

Bread, as before - - - 1 $\frac{1}{2}$ lb.

Water.

A pittance or dish, consisting of the same ingredients as the Rumford soup, with one pound more butter or lard in it to 100 prisoners, every Monday, Tuesday, Wednesday, Friday, and Saturday.

A pittance grasse, consisting of four ounces of meat, without bones, boiled in a sufficient quantity of water, with vegetables and salt, to make a pint every Sunday and Thursday.

Paris, 28th June, 1808.

(signed)

"Frochot, Prefect.

Cretel, Minister of the Interior."

From this document we learn, that the only animal matter allowed to the prisoners who do not work, either because they refuse to do so, or because they have not been sentenced to labour, is three pound of butter or lard divided into one hundred soups, made of vegetables and dry pease or beans, called Rumford soup, of a pint each; and that each prisoner has one pint such soup daily, beside one pound and a half

a half of bread, and water, and consequently not quite half an ounce of animal matter per diem.

Where the prisoners are condemned to labour, or labour from choice, a pint of soup is given to them, containing either more lard or butter with the same quantity of bread every day except Sunday and Thursday, when every such prisoner is allowed a stewed dish, consisting of four ounces of meat without bones, and a proportionate quantity of vegetables, including pease and French beans. This dietary has been in use since 1808 without variation, and no epidemic scurvy or scorbutic dysentery or diarrhœa, has occurred in consequence of it, proving abundantly the correctness of my assertion in my first and last Friday's evidence, that the dietary of the committee in July last, was by no means as low as some in use in other prisons, and that two meals per week of solid meat of six or seven ounces to each prisoner, would have preserved them from the disease. The occurrence of sporadic cases of scurvy or scorbutic dysentery in the prisons I allude to, and the existence of an almost epidemic scurvy at Bicêtre, on one occasion only, during a very severe winter, when the disease was rightly attributed to want of proper clothing, as mentioned in my first evidence, cannot of course, be considered to alter the question; with regard to that part of my evidence, where I tendered certain returns from St. Helena, showing the fatal effects of large doses of mercury in bowel complaints, I ought to have added to it, the written declaration from the naval surgeon, of whom I made mention on that day, stating, that the cases of dysentery reported in those returns, were considered as scorbutic, thus establishing a similarity of disease with that prevalent in the Penitentiary. In order, however, that the Committee may be enabled to attach a proper weight to the evidence laid before them, respecting the pernicious effects of frequent doses of mercury pushed to salivation, in the disease under consideration, it will be necessary to state, that in addition to all the facts mentioned in my former evidence, and those referred to by other witnesses, and besides the testimony of our best and greatest physicians, who have either condemned the use of mercury altogether, or never recommended it for the cure of diarrhœa or dysentery, there are several instances on record, of those diseases occurring among large assembled masses of people as at the Penitentiary, where mercury was either not used at all for the cure of the disease, or was only employed as it is done in private practice, in small and distant doses.

The Committee will permit me to cite two or three such instances, purposely taken from the history of modern British practice, in order to avoid the objection that might be made, if that of foreign physicians were alluded to, that they are prejudicial against the employment of mercury. Doctor Somers, physician-in-chief to the allied armies in the Peninsula, and who, in that capacity, saw a vast number of cases of diarrhœa and dysentery, does not recommend large or frequent doses of mercury, nor does he say that salivation is necessary to cure the disease; the only quantity of that medicine he prescribed, was three grains of calomel every other night, with one grain of opium; and he relied on other means for the recovery of his patients. Sir James Mc Grigor, director-general of the army medical board, in a sketch on the diseases of the English army in Spain, says, that Dr. Somers's practice appeared so judicious, and proved so successful, that he recommended it being generally followed in the army. It is worthy of remark, that the mortality among the patients thus treated (notwithstanding all the discomforts and inconveniences of a marching army), quoted by those highly respectable medical officers, was only one in 75; whereas at the Penitentiary, the mortality has amounted to seven in 100. In an epidemic dysentery, which broke out on board one of H. M. ships at Bermuda about the year 1814, when sixty men were attacked by the disease at once, and the list kept increasing six a day, no mercury was used, except in one case, which got worse through it, and yet the disease was speedily subdued. No large or frequent doses of mercury were deemed necessary, nor was salivation considered indispensable in the treatment and cure of the epidemic diarrhœa and dysenteries which reigned in the British army in Egypt by Dr. Dewar, principal medical officer of that army. In the reports of the disease of the bowels, by far much more favourable than the prevailing disease in the Penitentiary, which affected so large a portion of the population of Bombay, Batavia, and Java, it is not stated that salivation was necessary in the treatment of the complaint; and calomel is declared to have proved no better than any other medicine in curing the disease. With regard to the testimony of Dr. James Johnson (respecting which I have been examined) who I have been informed by the Committee has given his unqualified approbation to the plan now pursued at the Penitentiary, and who in his publications

Dr. Granville.

(June 25.)

Dr. Granville.

(June 25.)

has at times recommended sixty grains of calomel a day in the treatment of dysentery, and at other times very insignificant doses of that remedy in the same disease, it ought to be remarked, that the disease he saw occasional instances of, never large numbers of them at one time, had no connection with scorbutic dysentery; and that, even with regard to simple genuine dysentery of tropical climates, in which he states that he had recourse to the simple dose practice, the testimony of those who consider that practice as either pernicious or unnecessary, is both great and irresistible. He has himself quoted Dr. Ballinghall and Mr. Bampfield, one an army, and the other a navy surgeon of great experience, who condemn the scruple dose practice and salivation altogether in dysentery; and Dr. Thomas, of Salisbury, a physician of forty years experience, alluding to this same practice, says, "I am inclined to doubt whether mercury so employed as to produce salivation, will be found useful or even innocent in the cure of real dysentery; indeed I should think it could not fail, in many instances, to prove exceedingly hurtful, and particularly in the doses which are mentioned." That, in the present practice at the Penitentiary, it has neither been useful nor innocent, Dr. Baird's and my evidence have amply proved to the Committee.

Martis, 1^o die Julii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

*Mr. Thomas Higgs, called in; and Examined.**Mr.
Thomas Higgs.*

(July 1.)

WHAT situation do you hold?—I am deputy coroner.

Are you a professional person?—No.

Who gave you the office of deputy coroner?—I was nominated under an instrument by Mr. Gell, and approved of by the dean and chapter.

Was it under the seal of Mr. Gell?—Yes.

And under the seal of the dean and chapter?—No, under the hand of the dean.

What oath did you take?—The usual oath of office.

The same oath as the coroner takes?—Yes.

Who administered it to you?—The dean and chapter.

Has it been customary for the coroner for this district to appoint a deputy coroner?—Yes.

For a long term of years?—Yes.

Have you often officiated as deputy coroner?—Very often.

How many years?—Five or six.

Have you generally officiated at the Penitentiary?—I have taken half of the inquests there during my time, or rather more.

During those years, how many times have you officiated there?—About two-thirds of the whole.

Supposing thirty people to have been dead since January last, you have officiated at twenty inquests?—Eighteen out of the first thirty, and Mr. Gell the remainder.

Did you officiate there on Friday, the 27th ultimo?—Yes.

An inquest was held on the body of Charles Thompson, a convict?—Yes.

Did you summon the jury?—No; it is the duty of the constable.

How was it summoned?—The precept or warrant goes to the constable of the parish in which the dead body lies.

What parish is it?—The parish of St. John the Evangelist.

Are all the twelve jurymen taken from that parish?—Twenty-four are summoned, and we expect twelve to attend; we have from twelve to twenty-three on the inquest.

How many sat upon that inquest?—Sixteen.

From what parish were they summoned?—From the parish of St. John.

Is it the custom to summon them all from one parish?—Yes, in London.

Do you know upon what principle of selection the constable summons?—No, I do not.

What description of persons are summoned?—I should think not the most superior; I consider the constable excuses the most superior, as a matter of favour.

What was the class of jurymen that sat on Friday last?—Tradesmen.

Housekeepers?

Housekeepers?—Yes.

Were you acquainted with all of them, or any of them?—Very few of them.

How many?—I do not know the number; I have the list in my pocket; my family have very long resided in that parish, as long as any one; perhaps some centuries. [*The witness produced a list.*] I am not sure I know more than one by name.

Was that the foreman?—No, Mr. Crook.

A respectable person?—He is a hair-dresser, and dresses my hair occasionally.

Does he keep a shop?—Yes.

When you say that none of the superior classes were summoned, they being excused by the constable, what do you mean by the superior classes?—Such as the gentlemen of the vestry.

Do you mean the principal tradesmen in the parish?—Yes, and those who keep the best houses and the greatest establishments in the parish.

Are the jury composed generally of the poorer and inferior class of housekeepers?—I cannot so well answer that question as the constable.

Of your own knowledge, is it so, or is it not?—I should think they are not the most respectable; they are the small class of tradesmen.

Every householder is liable to be summoned?—Yes.

Have you got a copy of the precept?—I have the original.

[*The witness produced the same, which was read, as follows:*]

City and Liberty of Westminster, } TO the constables of the parish of St. John the Evangelist,
in the County of Middlesex, } within the said liberty of Westminster:—By virtue of
(to wit.) } my office, these are, in His Majesty's name, to charge
and command you, that on sight hereof, you summon and warn twenty-four able and sufficient men of the said liberty, personally to be and appear before me, on Friday the 27th day of June 1823, by five of the clock in the afternoon of the same day at the General Penitentiary, situate in Milbank, in the said parish, within the said liberty, then and there to do and execute all such things as shall be given them in charge, on the behalf of our Sovereign Lord the King's Majesty, touching the death of Charles Thompson, and for your so doing, this is your warrant; and that you also attend at the time and place above mentioned to make a return of the names of those you shall so summon, and further to do and execute such other matters as shall be then and there enjoined you, and have you then and there this warrant. Given under my hand and seal, this 26th day of June in the year of our Lord one thousand eight hundred and twenty-three.

J. H. Gell, (t. s.) Coroner.

The execution of this warrant appears by the schedule hereto annexed.

Tho' Dagnall, Constable.

Is it the case, that under the terms "able and sufficient men," housekeepers are supposed to be meant?—Yes.

Of your own knowledge, can you state that all the persons who have officiated as jurymen on juries you have attended, have been housekeepers?—I consider them to be so.

Do you sign the proceedings?—I do not.

Who signs them?—Mr. Gell.

Though not present?—Yes.

On your report of the proceedings?—The inquisitions are signed by the jurors, and afterwards countersigned by Mr. Gell.

Is the order for burying the body signed by Mr. Gell?—Yes.

Does not that run in these terms, "I and my inquest have viewed the body?"—Yes.

He never having viewed it?—Yes.

Have you got the original inquest with you?—Yes.

Is that a copy furnished by you?—(*Handing a paper to the witness.*)—Yes.

That is a true copy of the original?—Yes; I examined it.

[*The depositions taken before the Coroner, on the death of Charles Thompson, were handed in and read, as follows:*]

City and Liberty of Westminster, } INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King,
in the County of Middlesex. } touching the death of Charles Thompson, at the prison called or known by the name of the General Penitentiary situate at Milbank, in the parish of St. John the Evangelist, in the said liberty in the county aforesaid, on the 27th day of June, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on view of the body

Mr.
Thomas Higgs.
(July 1.)

Mr.
Thomas Higgs.

(July 1.)

body of the said Charles Thompson, then in the said parish in the said liberty in the said county, lying dead, as follows: to wit—

Benjamin Chapman, governor of the said Penitentiary, on his corporal oath deposeth:—
“The deceased (according to the prison register) was tried on fifteenth January one thousand eight hundred and twenty-two, at St. Mary’s Newington, and found guilty and sentenced to seven years transportation, which was commuted to five years imprisonment in this Penitentiary, where he was received (from the *Justicia* hulk) on first June one thousand eight hundred and twenty-two, being then in a good state of health; it is stated that when he was tried he was twenty-eight years of age. His friends, during my time as governor, have been allowed to visit him at the usual times, which is once a month, but during his illness much oftener; I wrote to his mother when he was seized with a fit a few days ago.”

“*B. Chapman*, Governor.”

John Pratt, surgeon of the said Penitentiary, on his oath, deposeth:—“The deceased was removed to the infirmary, for the first time, on the first March last, complaining of difficulty in making water; he recovered, and was taken down on the fifth; on the tenth of same month he was removed up again with diarrhœa, where he remained till the twenty-fourth, when he was placed in the pentagon, where he continued doing well till the 3d May, when violent purging came on; he was then admitted into the infirmary, and he died on the twenty-sixth of June, of a fit, a species of apoplexy; he had had two of these fits in the beginning of this week; the first (I think) was on Monday last, when he appeared to sink, and complained of pain in his head, the second (I think) was about Tuesday; I saw him about an hour prior to his death, when he was perfectly sensible, and said he felt better, but complained of his head; he has not been delirious at all; he was attended by Drs. Roget and Latham, as well as by myself, and every thing was done that could be thought of for his recovery. He was emaciated when admitted into this prison.”

“*John Pratt*.”

Benjamin Chapman, the governor, further deposed:—“In answer to a question by a juror, I depose I commenced my duty as governor on twenty-fifth March last; as to the deceased’s employment in the prison he was in pentagon N° 2, and I will send for Mr. Smith the taskmaster. The first letter I wrote to the deceased’s mother to tell her of his illness was on the twenty-third of June, the last on the twenty-sixth of June, which was to apprise her of his death.”

Richard Swift, taskmaster of pentagon N° 2 of this prison, on his oath deposeth:—“The deceased was employed as a winder of yarn on the pipes for the weavers, he had worked for a short time as a weaver. His turnkey, Gibson, has reported him several times last winter, as being idle, and I made a similar report to the governor. I do not know whether he was punished for it. He was confined by the then governor (I think) four or five days in the winter, for throwing some of his yarn down the privy. The deceased, after he had been confined in a solitary cell about twenty minutes, voluntarily confessed having wilfully wasted it, as he wished to conceal the quantity of waste from the turnkey’s knowledge. If the waste had been found out by the turnkey, the deceased would have been confined in the same way. The deceased was a slovenly man, and has been reported frequently to be filthy in his person, and to have dirtied his bed; he was not refractory. The deceased’s diet when in the solitary cell was the usual prison allowance when under punishment there, being a pound of bread and water a day. The surgeon and myself attended him every morning; he slept in the said cell; it had a stone bottom, but is not under ground; there was a bedstead there, and three blankets, and a bed rug. Prisoners work in the winter from eight to four, but between that are their meals, and times for exercise. The prisoners when they leave the prison are allowed an eighth part of their earnings. The solitary cells have air-holes, but no windows.”

R. Swift.

Mary Thompson, of Brompton, (near the Bell and Horns) widow, on her oath deposeth:—
“The deceased was my son; on last Tuesday I visited him in the infirmary of this prison, about five o’clock in the evening; he was then in bed, he seemed livelier than he had been for some time, but I still considered he would not survive long, and he declared that his time was short; he was perfectly sensible, and having called me to his bed-side, he whispered or spoke low, (for he was not allowed to say any thing but what was to be heard, in the presence or hearing of the workmen); I am sure he was afraid to speak; he then said, he had been confined in a dark cell, on bread and water, nine days, in the very cold weather of last winter, just after Christmas, when nobody could keep warm even with a great fire, and this he said was his death-stroke. I have visited him regularly since last winter; I was admitted in the first Tuesday of each month; this was in the visiting room; there was there always a man belonging to the prison, to hear the conversation; the deceased never told me before last Tuesday about his said solitary confinement on bread and water, and to account for that I do consider he was afraid to mention it in the presence of the person of the prison who was at our said interviews; he had the best health immediately before he was admitted into this prison. I consider it was four months ago when he first complained of illness, I reproved him for not having written of it; he then explained, that as he was allowed to see his friends he was not permitted to write; the man then present said, it was false; at my said visit, about four months ago, the deceased said his inside was gone, and then it was, the conversation arose about his writing, and before he could say more, the man that was in the place with him, laid hold of his shoulder, and said, “come come, you are not to talk that here,” and pushed him to the door, when he was taken away by another man. I applied at this prison on the first Tuesday of the next month, and was admitted to the deceased; he then seemed much

much the same as at my last visit ; I remained with him a quarter of an hour ; I was denied only once seeing the deceased, I cannot say at what month, but it was after the deceased was pushed from the room, as before-mentioned. I have not visited him since last Tuesday, as I could not make it convenient to go, on account of my business ; I keep a garden ; but the prison officers had orders to admit me or any of the deceased's friends whenever we applied this week ; his uncle, aunt and brother, have visited him this week.

" *Mary Thompson, her + mark.*"

George Thompson, of Brompton, Middlesex, joiner, on his oath, deposeth:—"The deceased was my brother ; I visited him in this Penitentiary the first Tuesday in June one thousand eight hundred and twenty-two ; he then informed me he was well, and that the allowance of meat was to be taken off next week, which he was afraid would go very seriously with him ; I visited him next month, and then he expressed himself to be very poorly ; I visited him the third month also, and inquired how he was, he said he still continued poorly, and so he stated each month up to October, when I visited him again, and he put his hand to his belly, complained of hunger, and said, (much affected) "George, I could eat a cabbage stalk;" on Tuesday fifth of November, a person named Gillard, was allowed to go instead of me to visit my brother ; I applied on the first Tuesday of December and January and was refused admittance ; I saw him in February, he appeared in a deplorable wasted state, and so weak as to be obliged to support himself by holding the iron bars ; we applied in March, and was informed he was in the infirmary, I then saw him, and he considered he should do better, as there was an extra allowance of food, and expected he should be able to go down in a few days ; I went again in April, and also in May, when he was in the infirmary, and saw him ; we came the Tuesday in this month (June), when we were denied admission to him ; I inquired of the Reverend Mr. Bennett, the chaplain, the reason of this refusal, who answered, that the deceased had been talking ; my mother begged to see him, as he was so ill, but Mr. Bennett said he must abide by the rules ; he said the *task-master* would satisfy me about it, but it was only a trifling offence, talking, which we were not allowed to see him for, for they will talk when they get better, he said ; I went about to find the *task-master*, but could not see one ; I was apprehensive the deceased was very ill ; we then came away from the prison, much dissatisfied ; my mother and me came the Sunday following in the hope of seeing him, but we were not admitted ; our apprehensions increased until a letter was received from the governor, dated twenty-third of June, informing my mother of my brother's danger, and I went to the prison on Tuesday last, and was admitted to his bed side ; I scarcely knew him, he was so much altered ; I inquired how he was, he was doubtful how it would terminate, and observed, "George, we must all die some time ;" by this he was aware of his situation ; I put down my head to him, and said, "they have hurried you to the grave;" he was perfectly sensible, and said, "yes, to be sure, I've been starved." I inquired if he had any wish, he observed, it was a wretched place to die in, and asked if Mr. Greenwood knew he was in such danger ; I told him my mother had informed Mr. Greenwood ; he said, he hoped Mr. Greenwood would make interest to get him out, to die at home ; Mr. Greenwood was applied to, who stated the case to Mr. Peel, who was kind enough to attend my brother on last Wednesday.

" *George Thompson.*"

John Gillett, of Michael's Place, 22, Brompton, tailor, on his oath deposeth:—"I have known the deceased about nine years, he assisted his mother in the gardening business, he was a healthy young man, I never knew him to have a day's illness before he came into this prison ; I always considered his word to be taken, he was a sensible young man and also a scholar ; I never knew him to be obstinate or quarrelsome ; I have been once to see him since his confinement here, this was (I think) in the month of November last. I was admitted into a room parted off with iron bars, his mother and a person named Best were also there ; I inquired how the deceased was, he was much affected, and with faltering voice said, he was starving to death with cold and hunger ; the turnkey said he must not say that, the deceased then appealed to him if it was not true, that he was then starving, the deceased was immediately turned out ; I begged he might come again, and his mother with tears in her eyes requested it, but it was denied, and we came away.

" *John Gillett.*"

John Pratt again called in, and further deposed:—"In the course of the day I always visit every prisoner that is confined ; I do not recollect visiting the deceased last winter when in a solitary cell, if he was in one I have no paper to remind me of this. If I find a prisoner in ill health, I order him from the solitary cell ; I have known a prisoner to be confined in the dark cell for nine days on bread and water, without injuring his health ; but I cannot say it was the deceased. The deceased's death was not brought on by the quantity or quality of the provisions.

" *J. Pratt.*"

VERDICT.—"That the said Charles Thompson, being a prisoner in the said General Penitentiary, on the twenty-sixth of June one thousand eight hundred and twenty-three, then departed this life from the effects of solitary confinement and the want of the common necessities of life during his residence in the said prison, since the twenty-ninth of June last."

(A true copy.)

Thomas Higgs, D. C.

Memorandum:—"The jury viewed the place of solitary confinement."

Mr.
Thomas Higgs.

(July 1.)

Was any person present on behalf of the Penitentiary, or connected with it, when those three last witnesses were examined?—I believe the messenger was present.

Was any other person present?—Not that I know of.

Was not the messenger quite as often on the outside of the door as within it?—I believe not; but my attention was taken up by the witnesses.

Was the governor permitted to be present?—He was not refused.

Are you sure of that?—I do not remember it.

Is it not an open court by law?—Yes.

Nobody has any right to be turned out, unless they conduct themselves ill?—No, unless they had evidence to give, when it is considered best to keep them out.

The governor had been examined?—Yes.

Was any inquiry made whether the persons who were supposed to be present on this day, in November, when the man was taken out of the cell, were to be found in the prison?—I do not exactly know the meaning of that question.

Was any inquiry made at the time, whether the officers of the prison, who were supposed to be present when the friends of the prisoner were turned out in the November preceding, were then at hand in the prison to be examined?—I believe no inquiry was made by any person; I inquired for Gibson, or any other person who could state whether he was in confinement.

Who did you make that inquiry of?—Of the messenger.

Did the messenger pretend to know any thing of it?—He said he knew nothing of it.

Could you suppose he should know any thing that passed in a part of the prison occupied by the prisoners in the November preceding?—I do not know any thing of the internal arrangements of the prison.

Were any inquiries made of the governor?—I believe not.

Was any inquiry made into the fact of the date of the confinement of the person in a dark cell, and his liberation?—I believe not.

Was any inquiry made of the person who saw him after his liberation, as to the state in which he was in the dark cell?—I inquired of his friends, those persons who gave evidence, whether he appeared ill immediately after November.

Had his friends any means of knowing what state he was in at that time?—From the interviews they had with him, and the surgeon stated he was not on his hands till March.

*[The following Papers were delivered in by George P. Holford, Esq.
a Member of the Committee.]*

Extract from the taskmaster, Pentagon N° 2; Order-book dated the
18th January 1823.

“ CHARLES THOMPSON to be confined to dark cell, on bread and water diet.”

Extract from the taskmaster, Pentagon N° 2; Report-book dated the
23d January 1823.

“ CHARLES THOMPSON liberated, and restored to his rations.”

Was any inquiry made of those who saw him on the 23d of January, or soon afterwards, in what state he appeared?—No, I did not inquire myself; I did not know it would form any part of the verdict; I had no idea of it.

Do you sum up to the jurors?—If it had been necessary, I should have read the whole of the evidence to them.

Do you, in point of fact, sum up the evidence to the jury?—Not in general, where it is so recent; it is read over to the witness.

You do not sum it up generally?—No; I think it the more impartial way to read it over.

Was the whole of the evidence read over together?—No, only after the deposition of each witness.

Do you explain the law to the jury?—If there is an occasion for it.

Are you a lawyer?—No.

What is your profession?—I have several professions; I was articled to the law, and was under a gentleman some time in my younger days; my father had a business connected with the water, and it was considered better I should be brought up to that, being the only son, as a waterman.

What

What is your occupation now?—So I passed my time for seven years, from fourteen to twenty.

As the keeper of a boat?—My father keeps sailing craft; he is a lighterman.

What do you do independent of this business of coroner?—As a lawyer's clerk.

How are you paid by Mr. Gell, by the job or salary?—I declare I can hardly answer that question; I have 10 s. for each inquisition.

If the jury offer you a verdict which is uncertain, or which appears to be an improper one, is it your business to make any comments upon it, or give them any advice?—Not in every case.

If they give you a verdict you do not understand yourself, is it your practice, or is it proper to refer it back to them, that it may be made more distinct?—In some cases I require they will receive further evidence.

Do you consider yourself bound to receive the verdict given by the jury in the precise terms in which it is drawn up?—In some cases.

In what cases do you not?—I should conceive in such a case as this.

Did you object to the terms of the verdict?—No, I did not.

The verdict states, that the deceased departed this life from the effects of solitary confinement, and the want of the common necessities of life during his residence in the said prison, since the 29th of June last; do you understand that to mean, he was in the want of proper necessities during the whole of that time, or within that period?—Within that period, within the twelve months; I did not collect from the jury, it was from the diet he had received in that month.

Is not that verdict very near coming up to murder?—Yes.

Why did not you issue your warrant to take up the people you conceived guilty of this offence?—I did not conceive the diet had been unlawfully administered.

You thought it an accidental death?—No, I did not.

Did you understand by the common necessities of life, that it was an insufficient dietary?—Yes.

Do you conceive that to be a proper mode of describing an insufficient dietary?—I should conceive it conveyed that meaning.

Had you before you the evidence of the dietary?—No, not on this occasion; I had on other occasions.

Did you apply that evidence to this inquest?—Yes; it was notorious.

Do you permit juries to find their verdict upon what is understood, without evidence before them?—That which is commonly known; there can be no doubt of the dietary.

Can you state the dietary yourself that was used during the time that the verdict applies to?—I conceive it to be this: that each prisoner was allowed from a pint to a quart of gruel for breakfast, and soup made in the proportion of two ox heads to 200 prisoners, of which they might have from a pint to a quart at dinner, and gruel in the evening; a sufficient quantity of bread.

You do not know what the dietary was exactly?—No.

Do you know to what period of time, since the 29th of June, this applies?—From June till about January; I did not anticipate such a verdict; I should have gone into it more fully if I had.

Did the jury ever inquire what daily food this man ever received?—Not at this inquisition.

You mean to say they had inquired at other times; had the same jury sat on Penitentiary inquests before?—I believe so.

Are you certain they are the same?—I believe I remember the names of them frequently.

In fact, the jury never heard what was given to this man to eat?—I believe not; it was taken for granted.

How is it you said he was starved, if you never heard what he got?—It was the jury who said he was starved; they received the declaration of the man in a dying state; I suppose he said he was starved; the witness gave it in the precise words of the deceased.

You represented the coroner upon this occasion?—Yes.

Can you state any reason to the Committee, why the officers of the Penitentiary did not attend the inquest, or any of them?—Several of them attended.

Did you not say there was only a messenger?—The governor was in the room; but he retired after he had given his evidence, and the surgeon also, and the taskmaster.

Mr.
Thomas Higgs.
(July 1.)

Mr.
Thomas Higgs.

(July 1.)

When you examined the surgeon, Mr. Pratt, did he give his answers to you in a candid and respectful manner?—Yes.

He did?—Yes.

Was there any irritation in the minds of the jury during the examination of Mr. Pratt?—I conceive there was.

There was some irritation on the minds of the jury when they examined Mr. Pratt?—Yes.

Can you state any reason for that?—I saw no reason.

Was it a general irritation on the minds of the jury, or only partial?—I think there was only one or two.

Did that seem to bias the verdict of the jury in any way?—I think not.

Did you hear the governor apply for permission to remain in the room, and being refused?—No, I did not; I have on other occasions, but that does not relate to the present.

Is not your court an open court?—Yes.

Has not every person a right to be there?—Yes, while there is room.

Was the governor of the prison refused permission to remain there?—Yes, on former occasions; but not on this.

Can you recollect that Mr. Pratt refused to answer any questions put to him by the jury?—He was required to give an opinion, which he refused.

What was that opinion on?—It was, I believe, whether he could live eight or nine days on bread and water, in a solitary cell.

Are you quite sure it was not, how long he could live upon twelve ounces of bread himself?—I believe it was the same; if he could live on that allowance in the solitary cell.

Is that the part of the dietary of this deceased convict that is more particularly alluded to, in your verdict of starvation, during the nine days he was in solitary confinement on bread and water?—No; I conceive it alluded to short allowance.

How long was this examination taking place?—Between four and five hours.

You did not consider it necessary to refresh their memories at all, when they came to their verdict?—I reminded them of the evidence of Mr. Pratt, that it was contradictory to what they were about to give as the verdict; I requested they would adjourn, and receive the evidence of the physicians, Messrs. Roget and Latham.

Then the Committee are to understand from you, that the verdict did not appear to you to be fairly borne out by the evidence?—It was in contradiction to Mr. Pratt's direct evidence.

Had you, in this instance, the printed dietary of the establishment before you?—I never saw it.

Then your memory is only furnished with the dietary by having sat on former inquests held there?—Yes.

Have you sat on many?—Yes, a good many.

Was there ever such a verdict returned before on any other occasion?—No.

How came you to return that verdict?—It is the verdict of the jury; I should not have taken it out of the prison.

You have stated, that your general rule is to receive the verdicts in the words as given by the jury, but that in some instances you make an exception to that rule, and this instance of the last inquest was one of those exceptions; what do you mean by that, did you object to this verdict?—No, I did not.

You have said, that you would not have taken it out of the prison?—I mean, I should have required the jury to give a verdict of manslaughter, murder, or acquittal.

Why should you make any distinction between within the prison and without the prison?—Because I consider this dietary not unlawful.

You consider that the persons who have the management of the prison have a legal right to give such dietary as they think proper to the prisoners?—Yes.

And the result of those orders, even if terminating in death, you would not consider murder?—No.

Was there any evidence before you, that the prisoner had the whole of the dietary intended for him?—No, there was not.

The only evidence you had of the insufficiency of the food was, the prisoner's stating to his mother he was starved?—Yes.

Did the jury consider whether the dietary was or not sufficient, was that the question discussed?—I believe it was discussed.

Did

Mr.
Thomas Higgs.

(July 1.)

Did any of the jury appear to know what it was?—I believe they all knew.

Why does the evidence of the words of the prisoner that he was starved, imply that he had the whole dietary, and that it was not enough, rather than that he had not what was intended for him?—Because I remember he stated to his brother, that the short allowance was about to commence, and he thought it would not agree with him, and the next time he saw him he was worse.

Do you know whether the prisoner ever asked for more food?—No, I do not.

Is there any evidence to show that this prisoner had as much as the dietary intended he should have?—I believe there is no doubt of that.

Was there any evidence before the jury, that the prisoner had what was allowed by the dietary?—No, there was not.

You took the verdict upon evidence, not upon oath, because there was no evidence of what the prisoner received?—No, there was not.

Was the verdict given in words suggested by you, or handed into you by the foreman of the jury, put down by him or his colleagues?—The words were not suggested by me.

Have you been on many inquests?—Many hundreds.

Do you administer oaths to the parties examined?—Always.

Do you find your verdicts on the evidence extracted from the friends of the deceased, generally?—No.

Not from the friends of the party?—Very seldom; we consider them interested, but in extreme cases we are glad to get the best evidence we can.

In fact, the Committee are to understand, that the jury believe that evidence which has been read, and which was before you, with regard to the convict himself stating to his mother and his friends that he was starved?—Yes, when he considered he was dying.

Had you any evidence as to the quantity of time he had been in solitary confinement?—Only the evidence that has been read.

Did you believe the evidence that his mother gave, as to his being in solitary confinement nine days?—I did not consider her memory accurate.

Do you make any observations to the jury upon the credibility of the testimony you have received?—When I see occasion.

Did you upon this occasion?—I believe not; the witnesses did not contradict each other.

Did not one man say he was confined four or five days, and the mother nine days?—They were both only speaking from memory.

Is it not your duty to point out the inconsistency of the evidence?—Yes.

Could not you have got at the evidence by inquiring of the officers of the Penitentiary?—I inquired of the man there, I considered he was authorized to be there.

Did not you know that all those things were matters of record in the prison?—I should consider it proper there should be a record, certainly, when an individual is put into solitary confinement.

Did you inquire after any such record?—I inquired of the person in the room; I considered he was authorized by some person in the Penitentiary, to attend to what was going on.

Do you mean, you inquired of the messenger?—Yes,

Is he any thing more than the person who carries messages out of the prison?—I do not know his duty.

Did you inquire of the governor?—No; I was not aware that the verdict would be founded upon his confinement in that place, or else I should have made further inquiry.

When a verdict is given in, do you think that you are precluded from requesting the jury to examine other individuals, or to re-consider their verdict till they could examine individuals who could give contradictory evidence?—I only consider it my duty to tell them of it, I did not see any doubt but that he had been confined in this place.

For nine days or five?—Five or nine.

Was not it important to determine that?—I should think five days sufficient.

To do what?—To injure a man's health at that inclement time.

Did you inquire as to the length of time that had occurred between his confinement and the time he was taken ill?—Yes, I did.

From whom?—The evidence before me; the surgeon stated it was on the first of March he was taken ill.

Mr.
Thomas Higgs.

(July 1.)

You could have adjourned the jury for the evidence to be examined?—Yes, I conceive I could.

If the jury founded the verdict upon a circumstance which you did not think would have formed part of the verdict, ought you not to have inquired what further evidence could be tendered upon that point?—I considered it only my duty to tell them, I thought it better to have further evidence; but if they declined it I must receive the verdict.

Did you mention to the jury that the verdict was founded upon a circumstance you did not think would form a part of it, and recommend them to take further evidence?—I did recommend them to take further evidence, on account of Mr. Pratt's deposition.

What further evidence did you desire them to take?—The evidence of the physicians, Roget and Latham, as to the cause of the death of the deceased.

Did they refuse to do so?—They did.

They declared themselves satisfied with the evidence received?—Yes.

You have stated, that you did not expect the circumstance of the confinement in the dark cell, to have formed a part of the verdict?—Yes.

And you have also stated, that where a verdict was founded upon a circumstance, you did not expect you should recommend the jury to call further evidence; did you recommend it to the jury to inquire as to the time the man had been confined in the dark cell, and his food while there?—No, I did not.

Were you surprized at the verdict?—Yes; I conceive there is a distinction to be made between a verdict upon a coroner's inquest and a trial; on a trial, if the matter is not properly decided, it may go to a higher tribunal.

Did you think, on the part of the officers of the prison, or any of them, that due attention was paid to your authority, or was any unwillingness shown on their part that might give you any distaste to examine them on the regulations and orders or records of the prison?—Not the least, there was the greatest willingness.

John Henry Gell, Esq. called in; and further Examined.

J. H. Gell,
Esq.

YOU are coroner of Westminster?—Yes.

Upon what authority do you appoint a deputy?—It has, from time immemorial, been the custom of the Chapter to allow a deputy to the coroner of Westminster.

Do you consider yourself as bound by his act?—Yes.

You sign all the inquests?—Yes.

Is not the memorandum, that it is your inquest, at which you were present?—Yes; we do not state, taken before the deputy.

Have you ever received any complaints, that the person whom you appointed as your deputy, however respectable, had not the professional knowledge requisite to fill the situation?—Never, in any one instance.

Did the committee of the Penitentiary ever make any remonstrance to you, that he did not command that respect from the jurors which his situation demanded?—No; I cannot recollect ever having heard any such conversation at all.

Were you ever requested by them to attend yourself?—No, I do often attend inquests myself; I may have another engagement elsewhere, it may be quite casual; but I have not been requested by the committee, upon all occasions, to take the inquests, or any one in particular.

Was not there a meeting of the committee of the Penitentiary, at which you attended, when they requested you to attend the inquests personally?—No; I recollect being once before the gentlemen; but I cannot charge my memory, nor do I believe, that any thing to that effect took place; it is impossible I should have forgotten such a circumstance.

For what purpose did you attend that meeting?—Upon my word, I cannot recollect.

Was not it after the death of Ann Martin, and in consequence of the inquest upon her?—Yes, I recollect there was such a name; but whether it was on that occasion, I cannot tell.

Was not the verdict upon that person, that she died from the bad quality of the food, whereas she died of a diseased spine?—I really cannot call upon my memory to state exactly for what purposes I was called, or what took place; I recollect being once called before the committee, but I cannot recollect for what; I was never requested to attend on all occasions, or any.

Was

Was not it stated, that it was desirable that you should attend personally, in order that juries might find more proper verdicts?—No, I do not recollect that.

What answer should you have given, if that had been requested of you?—I would have attended as often as I could; but my other engagements would prevent me doing it at times.

What other engagements have you?—I am concerned altogether for the dean and chapter, and for several bishops, and various circumstances occasionally call me out of town.

What do you mean by “concerned”?—I am steward for all the manors of the dean and chapter, and I am obliged to go and hold the courts.

How many inquests do you and your deputy hold in your district in the course of the year?—It is an extremely uncertain thing; it may be between forty and fifty in the quarter; they vary so excessively.

Do you not consider a knowledge of the law necessary, in order to fill the situation of coroner?—No; I was never bred a lawyer, and I never found any difficulty in taking any inquisition; I have had cases of importance; I think the precedents we have make it unnecessary to be a lawyer.

How are the jury summoned?—A warrant is granted to the constable of the district by me, to summon twenty-four householders.

Are the twenty-four householders to be summoned from the parish, the hundred, or in what way?—Within the parish.

Is that the practice in Westminster?—Yes; they always confine themselves to the parishes in which the inquest is taken; I never know them go out of the parish.

Does the precept express householders?—“Good and lawful men;” they are considered householders; I believe they might go in any part of the liberty if they thought proper, but that is not the practice.

It is stated upon the authority of Lord Hale and others, “when a notice is given to the coroner, he is to issue a precept to the constable of the four, five, or six townships, to return a competent number of good and lawful men of their townships, to appear before him in such a place, to make an inquisition touching the matter, or he may send his precept to the constable of the hundred”?—I suppose that refers to the county coroners; this is a small jurisdiction, and there is not such a population as may render it necessary.

Who is the constable?—Dagnell, I believe his name is.

Does he serve in his own right, or is he a deputy constable?—I do not know.

What description of person is he?—A chair-maker.

Is he a respectable man?—I was never at his residence.

Is he a petty constable?—Yes; my precept is, “to the constables of the parish.”

What salary do you receive?—None whatever; we are paid twenty shillings for each inquisition taken, the same as all county coroners.

What fund does that come from?—The county rate.

You are appointed by the dean and chapter of Westminster?—Yes.

Do you believe that the present jury consisted of the same people as the former did?—No; I always found a change of persons; the constable endeavours to divide the trouble in the parish.

Do you know whether it was so in this instance?—I was not present, but I have not found the same jury twice exactly.

Is it the habit of the constable to excuse, from favour, a certain portion of the householders?—I cannot answer that; I believe the higher ranks of life are never attempted to be summoned; whether they get any compensation for that I cannot answer; I never found any persons beyond a certain rank summoned on my juries; in general they are shopkeepers.

Do you in general consider it your duty to sum up the evidence to the jury?—Not unless they require it; it is taken down very slowly; if they desire to have it read over I do it, but it is very seldom done; the progress is so slow, they would gain nothing by reading it.

Is it customary to read over the whole evidence taken before the verdict is delivered?—No, it is not the general practice, but it would always be done, if desired by the jury.

Suppose a verdict is given in terms you consider uncertain, would you return it?—I should not like to take a part that might appear to be influencing the jury; I should make an observation on anything I thought inconsistent with the evidence given, but if they persisted in it, I should take the verdict.

*J. H. Gell,
Esq.*

(July 1.)

*J. H. Gell,
Esq.*

(July 1.)

If they should found their verdict upon a circumstance you did not expect, and you thought that further evidence might be necessary upon that point, would it or not be a part of your duty to suggest the propriety of taking further evidence?—Yes, I should; but if they persisted in it, I should take the verdict as it was.

In employing a deputy, you would take care the person you so employed, should be perfectly equal in all respects to supply your place?—I should never think it right to appoint a person whom I did not think equal to myself; it does not rest with myself exactly, because the person is sworn in by the dean and chapter, after being approved of by them.

And Mr. Higgs is that person?—Yes.

And you have such confidence in him, that you sign his inquests without hearing the evidence?—Yes; I am quite sure he is as competent as myself, he is very careful; we very often have two or three inquests in a day, sometimes he takes one and I take the other.

James Perry, called in; and Examined.

James Perry.

WERE you foreman of this jury?—Yes.

Were you acquainted with the persons of the jury who sat with you?—Not many of them.

What description of persons were they?—Most of them tradesmen.

Respectable people?—In the middling line; honest and honourable men, for what I know. One was a licensed victualler.

Did you ever sit upon an inquest before?—Yes.

Did you ever sit upon an inquest in the Penitentiary before?—Yes, several times.

Since the beginning of the winter?—Two or three times, not more.

Did you ever sit upon any inquest in which the question of the food the prisoners had, was inquired into?—No, I was not; it had been in question many times, but I thought the question alluded to February last.

Upon any inquest in which you sat, was the question of food discussed amongst you?—Yes.

Do you know what was the food?—We were informed it was soup, nothing else.

Were you informed as to the quantity as well as to the quality?—One bullock's head for 100 men.

Was the quantity of bread told you?—Yes, I think a pound and a half a day; I am not certain.

Had this jury on Friday last, the evidence of food before them?—No, they had not.

Had any of them sat before on juries?—Three or four of them I had seen there before.

Did you discuss the subject of the food amongst each other?—No, not particularly, we did not.

Did it appear to you on the jury, how many ounces of bread this prisoner was allowed?—In the confinement we were informed what he was allowed.

Was there any unwillingness in any officer to give you the information you required?—I did not observe any.

Were not the officers asked questions that did not bear upon the subject?—I think there was one man that was rather intoxicated, that was very troublesome.

Did not the rest of the jurymen rather check some of the questions?—Yes, I did myself repeatedly.

Did the officers of the prison, the governor or the surgeon, refuse to answer any questions put by you?—Yes; one man put a question himself; he rather insulted Mr. Pratt, I believe.

But the officers of the prison, the surgeon and governor, did not refuse to answer any question put by you?—Certainly not.

Did you say, intoxicated?—Yes, he certainly was.

You went and viewed the dark cell?—Yes, I did.

And you found no want of readiness to show it to you when required?—No, not the least.

You have stated, that they had soup and bread, and nothing else; and it was under that conviction you brought in that verdict?—No; it was what we had heard the deceased had said himself, that he was starving for want, as he had said to his friends, as it is taken down in the evidence.

The verdict was founded upon the supposed declarations of the deceased, and not from

from any examination of the food itself?—His mother and brother, and those respectable people, swore to these facts, and we believed them.

Did you take into consideration, that when the dietary was first altered in June last, the man said it would go seriously with him?—Yes, and he got much worse after it was altered.

Was not that declaration made before he could know what the dietary was?—I suppose it was, but he considered the loss of the meat would be very serious to him.

Did not the evidence of the relations show a pre-determination to carry the point against the officers of the Penitentiary?—I should think not; they could have no interest after the decease of the man.

Were you a long time considering your verdict?—Yes, from five minutes to five, till a quarter before ten.

Was there any difference of opinion as to the verdict?—No.

How long were you, after hearing the evidence, before you returned the verdict?—About a quarter of an hour.

And you were unanimous?—Yes, except as to the wording of it.

And there was no doubt among you, that the evidence you had received was sufficient to justify the verdict?—Yes, or else I should not have given it.

One of the jury was intoxicated?—Yes, but there were sixteen sworn, we did not rest upon him.

You did not think that the intoxication of this person, or any improper question put to Mr. Pratt, was of such weight, as to be a drawback upon the verdict you should give?—No, none whatever.

Did it cross your mind, that when you had received this evidence from the relations of the deceased, it might have been as well to have reserved to some of the managers of the prison, to inquire whether or not those statements were correct?—We did do so; we inquired for his turnkey, and we were told he was gone out of the prison, and we could not see him.

Did you inquire after any other officer?—First the taskmaster, and then the turnkey, who could give us the information as to the time of his imprisonment and release; and we also asked, if there was any other officer in the room, and we were told there was none.

You wished to obtain your information from the officers of the prison, so as to enable you to ascertain, whether the statement he had given to his friends was true?—Yes.

And you thought that the evidence was such as to entitle you to give the verdict you did?—Yes.

Did you ask whether the person who was in the room when he was turned out was in the prison?—No, we did not.

Did you ask for those records of the prison that could have informed you of the time he was confined in the dark cell?—No, the messenger said he could not tell; we asked him if he knew the time; he said he did not; we did not ask him if he had any memorandum.

Were you aware, in the verdict you were about to give, you would excite in the mind of the public more than common interest, as to this prison?—No.

Did Mr. Pratt, in his examination, state to you, that the convict laboured under any disease which was a powerful auxiliary in depriving him of life?—He said he was affected with the diarrhœa complaint, or something of that.

He stated to you he laboured under diarrhœa?—Yes, that he considered that was the case.

Did the jury consider the diarrhœa to be brought on by the diet?—Yes, we did consider so.

And that the diet was the cause of the death, and the diarrhœa the effect of the cause?—That it had brought him into that low state, and that he wanted more support.

Did you hear he had had any apoplectic fit?—Mr. Pratt stated that.

Did he state he had had more than one?—I cannot say whether he said more than one, he said he had one.

Did he state he laboured under any other complaint, consumption, or scurvy?—No; except that he had some difficulty in making water at the first onset, when he was first taken to the Penitentiary.

Did he state there was any inflammation of the bladder, in consequence of this suppression of urine?—No.

James Perry.

(July 1.)

James Perry.

(July 1.)

You considered the disease, whatever it was, was brought about by the diet?—Yes.

And that if there was an apoplectic fit, it was brought about by the diet?—Yes.

Have you ever heard that apoplectic fits were dangerous, and that few people ever survived three of them?—I have heard of several people who died of them.

Are you quite certain that Mr. Pratt did not say he had had three of them, and died in the third?—No.

Are you certain that the man did not die in those fits?—No; he was a dead man, nearly, before that; I state that from the governor's letter.

Was the governor's letter preceding the fit, or afterwards?—I do not know, it was the 23d.

Was not the letter written in consequence of the fit?—It was in consequence of illness.

What evidence had you that the man was in a dangerous state before that letter?—Mr. Pratt said he was in a very weak state before that letter, he was in the infirmary from the first of March, except a few days.

Were the jury aware in giving that verdict, they were almost giving a verdict of wilful murder?—No, because they did not consider it was wilfully done; there are many persons who cannot subsist upon that diet, it would starve some.

You did not think you gave a verdict that criminated any body?—No, not in any respect.

Are you aware, that when a patient goes into the infirmary, he is under the diet the physician chuses to order?—Yes.

Did you make any inquiry, whether he had such allowance as was ordered by the surgeon?—Mr. Pratt said he had every thing necessary.

You were satisfied he had?—Yes.

Did the coroner explain to you that the nature of the verdict was pretty nearly a charge of murder?—I never heard such an observation.

Did not Mr. Pratt state to you, this man was out of the infirmary from the 24th of March till the 3d of May?—No, I do not recollect that; I recollect his saying he was out four or five days, but taken in again.

Is this an incorrect statement of Mr. Pratt's evidence, "on the 10th of the same month, March, he was removed up again with diarrhœa, where he remained till the 24th, when he was placed in the pentagon, where he continued doing well till the 23d of May?"—I cannot say it is incorrect, but I have not got it in my memory.

You had attended several inquests before?—Yes.

Do you think any other person whose inquest you have attended, died in consequence of the same treatment that brought this man to his end?—I have an idea of that, that the treatment must be it.

You thought it was the case here particularly?—Yes, the man was a mere shadow, it struck us with horror.

It struck you that he was a man who had been starved to death?—Yes.

And in the other cases, you never witnessed so decisive a case as that?—No.

Was the body dissected?—No.

There was no ground for desiring the body to be opened?—We did not consider there was any inward complaint.

Did it appear to you how long he had had those apoplectic fits?—I never heard he had had any before the last week.

Did the coroner attempt to correct your verdict at all?—Not the least.

Nor offered any observation, to make you believe you had given an improper verdict?—No.

He read the evidence over to you very correctly?—That of every witness separately.

He did not sum it up to you afterwards?—No.

The first evidence was given very near five hours before the verdict was given?—It could not be much less.

Do you know how it happened, that you personally are summoned so frequently on the jury?—I am often summoned when I do not go.

It is oftener than your turn?—I should be very happy to be excused; it is a very unpleasant thing; the constable has a difficulty in getting a jury; sometimes workmen are summoned who are working about the Penitentiary.

Did you ever sit upon a jury with such workmen?—Yes; I recollect one instance, where there was one workman; they said he was a housekeeper, and I have heard of it from other jurymen.

Mr. John Crouch, called in ; and Examined.

YOU were late governor of the Penitentiary?—Yes.

Were you acquainted with Charles Thompson?—Yes.

Was he reported by the taskmaster to you for misconduct, in January last?—Yes.

What was the report made against him?—He was put to wind a certain quantity of cotton, and he was the only prisoner in that ward winding the same sort of cotton ; the turnkey reported him as making away with a part of it, as it was found in the water-closet. I then went to the pentagon, and asked him about it ; he denied throwing it down there. I told him I was certain, from the manner and mode in which the turnkey conducted himself, that he was correct. The thing was, in short, found there ; and there was no other prisoner winding the same sort of material but himself.

Did he deny it solemnly?—He did.

Can you repeat the words he used?—He said the turnkey would say any thing ; he denied the thing most solemnly ; after he had been in the dark cell some short period, he acknowledged to the taskmaster that he did do so.

Did he deny it with oaths?—I do not recollect.

What sort of weather was it when he was put into the dark cell?—I believe it was coldish weather.

It was after Christmas?—Yes.

Was there snow upon the ground?—I do not recollect that there was.

How long did he remain there?—Four or five days ; it was on the Saturday that he was reported, and that happened to be committee day ; he was reported to the committee, and the committee considering the enormity of the offence, left him to the discretion of the visitor ; Mr. Mellish was the visitor, and when he came he ordered him to be liberated.

You considered his offence as an enormous offence?—Yes.

Do you usually punish persons with the dark cell for similar offences?—My punishment only lasts three days, but the committee ordered him to remain there for the discretion of the visitor ; the visitor's discretion lasted two days longer.

Did you see him when he came out?—Yes.

In what state was he?—He was very well.

Did he go into the infirmary?—No, into his cell.

What food had he in the dark cell?—A pound of bread and as much water as he wished.

Did you visit him?—Yes, every day.

Did the surgeon visit him?—It is always put in the report book that the surgeon visited him, accompanied by the taskmaster.

Have you examined the report book?—No, I have not.

You are certain he appeared in good health when he came out?—Yes.

Did he complain of suffering for want of food?—I never heard it.

Did he make any complaint of that kind?—No.

Did he complain of cold?—No ; he could not be cold ; he had two blankets.

Is the place cold in winter?—No, it is not cold.

It is not exposed to the external air, though it is well ventilated?—No ; not his cell.

Do you know whether Dr. Hutchison visited him in your company?—I do not recollect.

Richard Swift, called in ; and Examined.

WERE you taskmaster of pentagon 2, in January last?—Yes.

Did you know Charles Thompson?—Yes, I did.

State the circumstances of his case, and the report you made in January last?—The turnkey had reported to me there had been a waste of yarn found in the privy ; we suspected Thompson, and I requested the turnkey to examine the privy after he had been there in the morning with his chamber pot, both before and afterwards ; he did so, and found this yarn in the privy immediately afterwards.

Did the prisoner deny it?—He did, most solemnly.

What quantity of yarn was it?—I cannot tell ; it was made up in cops.

How many pounds were there?—Not a pound.

Half a pound?—I cannot say ; it might be half a pound.

*Mr.
John Crouch.*

(July 1.)

Richard Swift.

Richard Swift.

(July 1.)

Had you lost cotton before?—Yes, but we could not ascertain who it was had thrown it there.

You had found it there before?—Yes.

Frequently?—Yes; three times, I dare say.

Can you repeat the words in which he denied it?—He solemnly denied it to the turnkey; and when the governor confined him, I accompanied him, and the governor asked him, why he wasted his yarn. Upon that he said, he had not; and he considered, that the turnkey would say anything. The governor said, he could not believe the turnkey would say such a thing, if it was false. He said, “by God, I did not do it.”

Did he afterwards confess it?—He did.

To whom?—To me; he told me he had thrown it down the privy, to conceal it from the turnkey’s view; and that he had made a great deal of waste.

Did you visit him every day in the dark cell?—Yes, accompanied by Mr. Pratt.

Did he complain of suffering for want of food?—No, not to me.

Did he complain of cold?—No; he had three blankets and a bed rug.

Was the place cold?—The time of year was cold.

Was the place cold?—Yes; it could not be otherwise at that time.

Did you see him when he came out?—Yes.

In what state of health was he?—In a very good state.

Did he return to his cell, and go on in the same way as the others?—Yes, he did.

How long was it after his release, he was sent to the infirmary?—It was the first of March he was sent there.

And he was taken out of the cell on the 23d of January?—Yes.

Did he work at the crank-mill in the intermediate time?—Yes, till he went to the infirmary.

Between July the 23d and January, used he to complain of the new dietary, for want of food?—He never complained to me of it; he has complained to his friends.

Did he eat his food?—Yes; I never knew him leave any.

Was he a spare man?—Yes, very so.

Was he in good health?—He did not appear to be so; he was very much emaciated.

You are sure, that, between the first establishment of the new dietary till he was put in the dark cell, he did not complain to you of feeling hungry, and wanting more food?—No.

Did he ever complain to any one else in your presence?—No.

Do you know whether he was under solitary confinement at any other time?—No, he was not.

And this was for five days?—Yes.

Did his friends mention to you, that he had not enough to eat?—No, they did not.

In the confinement for five days, do you suppose it was prolonged on account of his denying the fact?—It might be the case, but that did not rest with me.

That was with the governor?—Yes; but he told me afterwards, if he had not known he should be liberated by his confession, he would not have confessed it because he proved himself a rogue, thief and liar.

Did he express any contrition in his cell, and was it in consequence of his expressing that contrition he was let out?—He said he should be glad to go to his cell again, and he would not be guilty of the like crime in future.

Was it in consequence of his saying he was sorry, or was he put in for any definite time?—That I cannot say; it did not rest with me at all.

Thomas Pitts, called in; and Examined.

Thomas Pitts.

ARE you one of the turnkeys of the Penitentiary?—Yes.

Were you present at any time in November last, when the deceased, Charles Thompson, saw any of his friends in the visiting cell?—Yes.

What passed on that occasion?—His mother asked him, as soon as she entered, how he was; he told her, he was very bad; she asked him what was the matter with him; he said, he was literally starved to death.

Did he say “we are starved to death,” or “I am starved to death?”—That he was.

What else took place?—And that the murdering rogues were murdering them by inches.

Did

Did you make any remark to him?—Yes; I spoke to him and desired him not to use such language as that, or I should be obliged to order him out.

What else?—He still persisted in other bad language of the kind, and I spoke to him a second time, and he told me that he should not hold his tongue, that I knew it was true; then I thought proper to call the turnkey to take him out.

Did you make any report of that occurrence to any one?—To the then acting taskmaster.

Did you lay your hand on his shoulder, and tell him to go out of the cell?—I could not, I was not in the same apartment.

There was a wire between you and him?—Yes, a wire and bars.

You called to his turnkey?—Yes.

What did he do?—He opened the door and called him out, and the prisoner said to his mother, “good bye, they will not let me stay any longer.”

Which way did you go?—I went round and joined them afterwards in the visiting cell.

Did his friends desire to see him again?—Yes.

What did you say to that?—That they must see the governor first; the taskmaster said if they wished to see the governor he would go with them, they said it was no use to see the governor or any body else, and they would not go.

Were you examined before the jury that sat upon the body the other day?—No.

What is the rule as to the communications that prisoners may make to their friends, as to the treatment in the prison; are they permitted to complain?—I have no order to the contrary.

Was it the complaint you thought it fit to interfere with, or the mode in which it was said, namely, the phrase “murderous rogues?”—The way in which he spoke of the officers of the prison; I should not have interrupted him else.

Do you mean that if he had said “we are starved to death,” or “the food is not sufficient to keep us in health,” or “we have too little meat,” or “bread,” you would not have thought it fit to interfere?—I should have interfered to tell him to be quiet, that I would fetch the governor to him, if he had any complaint to make.

Did you ever act before in that situation?—No.

Had you any instructions given you to prevent prisoners complaining to their friends of the treatment they received?—No.

Have you acted as assistant taskmaster ever since?—No, only a little while.

Have you been there when other visitors have been there?—No.

Were you present all Friday in the prison?—Yes.

Richard Swift, called in; and further Examined.

IS that the rule [*handing a paper to the witness*] as to the way in which the taskmasters are to conduct themselves, if prisoners complain to their friends?—Yes.

Richard Swift.

[*The same was handed in, and read, as follows:*]

Extract from the Taskmaster's Order Book, Pentagon N° 2.

“1820: May.—In the case of prisoners making complaints to their friends, as to their treatment in the prison, the officer attending them in the visiting cell must be instructed to refer such friends to the governor or chaplain for any explanation which they may wish, as to such complaints.”

Have you the Order Book in your pocket, for the admission of friends, so that you can say what orders have been given to the friends of Thompson to see him, since June last?—Yes; [*the witness referred to a book*] there is one on the 1st of July, to see his mother; there is one on the 1st of August to see his mother and brother, and one on the 3d of September to see his mother and brother.

Is the order in August one that would be acted upon in September?—It is the 1st of August.

Have you not one that would be acted upon in September?—Yes; in September there is an order to see his mother and brother.

That would be acted upon in the early part of September?—Yes, or any other period during the month.

Is it usual to permit persons not brothers to come under that title?—No, not if it is known.

Is there any order for him to see his friends in October?—Yes.

What is the date of it?—The 1st of October; and there is an order for him to see his mother and brother on the 1st of November, dated the 28th of October.

Richard Swift.

(July 1.)

That would be acted upon in November?—Yes.

Is there any order in December?—Yes, to see his mother and brother; that is the 27th of November, and would be acted upon in December.

Have you any order for allowing them to see him in January?—Yes, January the 1st, to see his mother and brother.

Have you any order to see him in February?—No, not in February.

Can you account for your not having such an order?—It was in consequence of the report made against him.

Would he have an order in February, if he had misconducted himself in January?—No.

Is it an order that you receive, that no prisoner is to make a complaint to his friends of any thing that happens to be in the prison?—He may make that complaint, but the assistant task-master in the cell with him must refer the friends to the chaplain or the governor.

Is the mouth of the prisoner stopped, that he is not allowed to go on?—Yes, he is allowed to go on, but the assistant task-master refers his friends to the chaplain or governor for the veracity of that report.

The prisoner may make such complaints as he thinks fit, but the task-master is instructed to tell the friends to go to the chaplain or the governor, and ascertain whether they are true or not?—Yes.

Is it the rule of the prison, that a man is punished for making complaints?—No, I never knew an instance of it.

What was there in this man's conduct that warranted his being punished, for a complaint he made in January last, he having been prevented from seeing his friends?—In consequence of this report against him of his making waste of yarn.

Is it not the rule, that where a prisoner has been reported and punished in one month, that that prevents him having an order to see his friends?—Yes.

Is that a book kept regularly, and not written for this, or any other occasion?—It is kept regularly, it is the counterpart of the original order, signed by the governor.

When parties are making complaints, which they are allowed to do to a certain extent, and then are stopped, it is with a view of bringing the governor or chaplain, or both of them, into the company and society of the convict or his friends, in order that the convict may not state that which is incorrect?—Yes.

And those two officers are to come into the cell to hear the conversation?—I have never known an instance of it; we may send the friends to the governor or chaplain, I have never known an instance of the chaplain or governor being brought in.

Alexander C. Hutchison, M. D. called in; and further Examined.

Dr. Hutchison.

DO you remember the case of Charles Thompson?—I cannot say I remember the man individually, he has not been a long time in the Penitentiary; but I know such a man was under treatment in the infirmary, for in my memorandum book, which has been so often alluded to, I see his name mentioned, "March 16th, "Charles Thompson; prescribed a cathartic and afterwards fever mixture;" so that he must have been labouring under some degree of fever on that day.

Do you recollect visiting him every month from the time of his entrance in the Penitentiary till you quitted?—I believe I may say, I have seen every prisoner in the Penitentiary in the first few days of every month; it is some days before we can get through; in January last, we were four days before we completed it, so that I could not complete my quarterly report till the eighth or tenth.

Have you any recollection, that he made any complaint to you of having personally suffered of hunger and famine, and feeling a great state of debility?—No; I may be allowed to make a remark here, which is apposite to the question put, which is, that very few complaints were made to me in the male department on account of the scantiness of the provisions, they were principally confined to the females.

If this man appeared to be in a weak or languishing condition, would not you have ordered him into the infirmary, or directed the apothecary to send him some medicine?—Yes; I will state to the Committee the way in which these visits are performed; every prisoner is examined in his cell if he be there, if he is in the yard walking, we visit his cell first, and visit him in the yard afterwards, and see him pass by us; they walk two and two together, when, if I saw any prisoner look sickly or emaciated, or in any way drooping, I should select him out and ask him questions, and then come to a decision whether he was a fit subject for hospital treatment or not,

Dr. Hutchison.

(July 1.)

not, and treat him accordingly; the same observation applies to the prisoners in the cells; I invariably asked them how they did, if they had any bodily complaint, and according to the answer I got, so I acted; leaving him where he was, or prescribe for him, or remove him.

Your last visitation was in April?—Yes, it was.

You made a report in April?—Yes.

If in February you had seen any prisoners in a deplorably weak state, so weak as to be obliged to support himself by holding the iron bars, what should you have done?—Immediately have removed him to the infirmary; but I cannot suppose it possible, that could have happened and not have come to my knowledge, if he had remained below.

Could it have happened in the infirmary, with the surgeon going about and the turnkeys in the passage, that such a person should be in such a state in the prison without the medical officer being acquainted with it?—I should think not.

Could a person in that state work in the crank-mill?—I should think not.

Have you ever desired the removal of a convict from the dark cells on account of indisposition?—I have.

How long had that person been there?—I do not recollect; it is two or three years ago.

Did you ever prescribe medicine for a prisoner in solitary confinement?—Never.

When you visited a prisoner in solitary confinement, describe the nature of your visit?—In order that I might not depend upon what he might say, I had him brought out into the light that I might judge of his appearances, and then asked questions as to his health, or whether confinement operated upon him injuriously; and then I would feel his pulse, and say something consoling to him, and leave him.

Do you think sixteen ounces of bread a day, sufficient food for a person in that situation?—That would depend upon the length of time he was confined there.

It is in evidence that a person has been in confinement three weeks; do you think sixteen ounces of bread sufficient to preserve the health of that person for three weeks?—I think not.

By whom was the order for the pound of bread settled as the general practice of the Penitentiary?—I cannot say; it was not me.

Would it be enough for five days?—I should think a man's health could not be impaired by it for five days.

A man could not be starved to death upon it?—No; but if he was kept upon it for a considerable time, disease might be induced by it.

Is it not the rule as to prisoners upon bread and water diet, that they shall have such a quantity of food as the surgeon shall direct?—Yes, "such increase of bread" are the words.

Should you not, if you thought it insufficient, have felt it your duty to have ordered more food?—Certainly; and I have done so.

Is it not the practice of the prison, when people are put in confinement, to give them a pound of bread daily till the surgeon makes such addition as he thinks necessary?—They have bread *ad libitum* when the surgeon thinks it necessary.

Have you ever recommended to the surgeon, that a prisoner under confinement should have his bread increased?—Yes, I have.

Has it been increased accordingly?—I believe so.

Between your monthly inspections, have you any means of knowing the prisoners who have been in confinement?—No; but I have been occasionally asked to visit prisoners in the dark cells, and I have gone there.

Have you gone there at other times besides your monthly inspections?—Yes, when I have been informed of it.

The bread was good?—Yes.

By hospital treatment, you mean a better sort of diet, as well as medical treatment?—Yes; the medical diet of the Penitentiary was written out by myself, and I filled it up, as nearly as possible, according to that given in the naval hospitals.

Were the cells cold?—No; I think they were comparatively comfortable for that season of the year; I tried the thermometer there to see whether they were cold.

Do you recollect the grade of the thermometer?—No, I do not, but I have the paper at home stating it, which Mr. Pratt took for me; I will take it upon myself to say it is warmer than the upper cells.

You mean the upper gallery not warmed by the flues?—Yes.

Dr. Hutchison.

(July 1.)

Do you remember the cell in which this man was confined?—No, I do not.

Would an upper cell be as warm as an under ground one?—I think not.

Was there so much washing or swabbing in the Penitentiary as to create a moisture in the atmosphere?—There was at one time, and I represented to the committee that it would be injurious to the prisoners, and I recommended they should use a mop merely damped, and that in the summer months only; that in the infirmaries they should never do it, excepting in the morning very early, so that it would be gone off before bed-time.

Was not the case in which you complained of that, a case in which the matron stated they had brought up coals and dirtied the place?—I am speaking of the prison, not of the infirmary: I complained afterwards of the nurses washing the wards of the infirmary; I recollect in my letter to the matron referring to that statement of mine, the impropriety of washing the cells late in the evening, and sousing them with water.

Captain Benjamin Chapman, called in; and Examined.

*Capt.
B. Chapman.*

YOU are governor of the Penitentiary?—Yes.

Were you summoned on the inquest on Friday last?—It is my duty to attend to give the description from the register.

Were you desirous of staying the whole time in the room?—Yes; after I had given my evidence I thought it was right I should do so, but as I had been on a former occasion desired to withdraw, I said, if I could remain I should like it; there seemed a little degree of consultation; I was very near the coroner or his deputy; I said, "I am anxious to remain, if it can be allowed;" however, they seemed to think I ought not to remain, and I went out; indeed, I was told it would be better to go out, not by the coroner, but some of the jury.

Is Mr. Bennett, the chaplain, in town?—I believe he is not returned, he went to Cambridge to take his degree.

Were all the other witnesses ordered to withdraw?—I do not know, I was ordered out myself.

You were not desired to withdraw by the person acting as coroner?—No.

But by one of the jury?—It was the opinion of several of them; I stated that I wished to remain if it was not improper, and there was a consultation among them, they seemed to think it was not proper.

Was it the foreman of the jury?—No; the foreman of the jury found fault with some of the questions asked me, and told me not to answer them; there was one man who was offensive in his observations, he was deprecated by the rest, and I was told it was not their question.

Did the coroner interfere and state it was an open court, and that you had a right to remain?—No, he did not.

You were not told to withdraw in any offensive manner?—No, not at all; I was asked by one person, who has been described turbulent, an irrelevant question, which was condemned by the rest.

Was he sober?—I cannot say; he was rough and rude in his manner.

Mr. John Pratt, called in; and Examined.

Mr. J. Pratt.

DO you remember Charles Thompson before he was taken ill?—I do.

Did he ever make complaints to you of suffering from want of food, between July and Christmas last?—Never.

Do you remember in the month of February last, his being in such an emaciated state as not to be able to support himself against the door of his cell?—Certainly not.

Do you know whether he worked at the crank-mill in that month?—I believe he did.

Is it possible, according to your experience of the establishment, that any person should be in the state that has been described, without it being communicated to you from the person himself, or the turnkey?—No, it is impossible; I must have heard of it.

What, in your opinion, as a medical man, did this man die of?—Of a species of apoplexy.

What species?—A slight species; but he had two attacks before; he was in the habit of complaining of violent pain in the head; half an hour before his death he told me he was a considerable deal better, but he complained of his head.

Had he diarrhoea?—Yes.

Very

Mr. J. Pratt.

(July 1.)

Very bad?—No.

Was he under the effects of mercury?—Yes.

Was his mouth affected?—A very little.

Had he taken it long?—Not very long.

Had he taken it internally?—Yes, and rubbed it in likewise.

What sort of a man was he in his habit?—Very spare.

Was his disposition to complain?—I do not know.

Was there any disposition in the jury to open his head?—No.

Were you asked those questions that have been asked you now, by the inquest, with regard to what you considered to be the disease of which he died?—I informed them what I thought was the disease, that it was a species of apoplexy, and that he had had two attacks before.

How do you describe apoplexy; there is serus apoplexy?—Yes, this was serus apoplexy.

Did you bleed him?—No; he was blistered on the back of the neck.

Did the blister rise?—Yes, very well.

How long was that before his death?—Four days previously to his death.

Did any of the jury ask you if you considered he died from want of food?—No.

Was he not considered to be materially better the day before he had the last fit?—Yes, he was considerably better, and he expressed himself that he was better, except the pain in his head.

How do you account for his being so thin?—When he came into the prison he was in a very weak state, very much emaciated.

Why did you not bleed him?—Dr. Roget and Dr. Latham were present, and they desired a blister to be applied to the neck, and a fomentation of the bowels; he was in too low a state to be bled, he was of a spare habit.

He was not a subject such as you would say would be liable to plethora?—No; but apoplexy will arise from other causes.

Are spare persons liable to apoplexy?—Yes they are; my experience establishes that.

The physician had seen him that morning?—Yes, the very day before.

They were perfectly aware of his case, and had attended to it?—Yes; and the day I was examined here, they saw him seized with a similar fit, they thought he must have died; and when they met me here, they said they thought he was gone.

After the complaints this unhappy man made to his mother and brother, of being starved, were any reports made to you of that conversation?—No.

His friends never asked you any opinion upon that subject?—Never.

Nor to your knowledge, that of any other officer?—Not to my knowledge.

APPENDIX.

(A.)—Papers delivered in to the Committee.

DIETARY for Prisoners out of the Infirmary, General Penitentiary, 24th May 1823	p. 331
DIETARY in use at the General Penitentiary, prior to 4th July 1822	- - - ibid.
DIETARY introduced at the General Penitentiary on the 4th July 1822	- - - p. 332
N ^{os} 1 to N ^o 13. Extracts from the Minutes of Proceedings of the Superintending Committee; including Communications from Sir James M'Grigor	- - - ibid.
Correspondence, I.—Letter from William Courtenay, Esq. to William Morton Pitt, Esq. 8 May 1823: with Mr. Pitt's Reply	- - - p. 336
Statement from Committee to William Morton Pitt, Esq. 17 May 1823	- - - p. 338
Correspondence, II.—1. Letter from the Secretary of the General Penitentiary to the Honourable Henry Grey Bennet, Chairman of the Committee; enclosing, 2. Letter from Mr. Hobhouse by order of Mr. Secretary Peel; and Communication from Dr. Hutchison	- - - p. 340

(B.)—II. Further Papers delivered in to the Committee;—*viz.*

Weekly Returns to the Committee of the Penitentiary, from the Governor, Matron, Deputy Matron, and Master Manufacturer, for the week ending the 4th January 1823; showing, The number of Prisoners on that day, and the Work done during the preceding week; N ^{os} 1. 2. 3. & 4.	- - - p. 349
Returns from—the Cold Bath Fields Prison;—Saint Anne's Soho;—St. George Hanover-square;—St. Mary-le-bone; and St. Pancras Workhouses:—N ^{os} 5. 6. 7. 8. 9. 10.	p. 352

(C.)

FURTHER PAPERS relating to the Penitentiary; as ordered, by the House of Commons, to be printed, 2 May 1823. (N ^o 309.)	- - - p. 359
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(D.)

LETTER from Dr. Hutchison, 27th June 1823; to The Honourable Henry Grey Bennet, Chairman of the Select Committee on the Penitentiary, &c. &c.	- - - p. 370
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(E.)

N ^o 1.—LETTER from Mr. Morton Pitt, dated June 16, 1823, to the Chairman of the Select Committee on the General Penitentiary; with an Enclosure	- - - p. 370
N ^o 2.—Letter from Dr. Hutchison, dated 4 April 1822, to E. Bootle Wilbraham, Esq.	- - - p. 373
N ^o 3.—Extract from Minutes of Committee of Penitentiary 1822; and copy of Medical Officer's Report on the death of Ann Atkinson	- - - p. 374
N ^o 4.—Letter from E. Bootle Wilbraham, Esq. dated General Penitentiary, 30th March 1822, to Dr. Hutchison	- - - ibid.
N ^o 5.—Letter from the Committee of the Penitentiary to Dr. Hutchison, 15th July 1822; with Answers	- - - p. 376
N ^o 6.—Extract from Minutes of the Superintending Committee of the General Penitentiary, 1st & 8th February 1823; on the case of William Osband	- - - ibid.
N ^o 7.—Letter from the Committee of General Penitentiary to Dr. Hutchison, April 1823, and his Answer; on the death of Harriet Church	- - - ibid.
N ^o 8.—Description of some of the Inferior Officers employed in the different parts of the Penitentiary, for the care and management of the prisoners	- - - p. 377
N ^o 9.—Remarks upon the Employment of the Prisoners in the Penitentiary	- - - p. 381
N ^o 10.—Extract from the Infirmary Turnkey's Report Book, Pentagon N ^o 1; relating to Charles Thompson	- - - p. 387
N ^o 11.—Report of the Physicians, on the state of the Penitentiary at Milbank, 5th April 1823; as ordered by The House of Commons, to be printed, 16 April 1823. N ^o 256.	- - - ibid.
N ^o 12.—Report by Drs. Latham and Roget, upon the Penitentiary, 4th July 1823	- - - p. 394
N ^o 13.—Extracts from Minutes of Superintending Committee, March 1821, respecting the Allowance of Bread to Prisoners under confinement for punishment	- - - p. 396
N ^o 14.—Account of Sums voted for the building of the Penitentiary at Milbank	- - - ibid.
N ^o 15.—Account of the Gross Expense of the General Penitentiary at Milbank, &c.; from the opening of the Institution in June 1816 to the 31st December 1822	- - - p. 397

APPENDIX.

(A.)—Papers delivered in to the Committee.

General Penitentiary, 24th May 1823.

DIETARY for Prisoners out of the Infirmarys.

Breakfast and Supper.	$\left\{ \begin{array}{l} \frac{1}{4} \text{ of a pint of new milk.} \\ \frac{1}{2} \text{ a pint of water, boiled up with} \\ \frac{1}{2} \text{ oz. of flour.} \\ \frac{1}{2} \text{ lb. of white bread.} \\ \frac{1}{2} \text{ a pint of toast and water.} \end{array} \right.$
Dinner.	$\left\{ \begin{array}{l} 6 \text{ ounces of boiled beef, } \textit{free of bone.} \\ \frac{3}{4} \text{ lb. potatoes } \textit{when boiled.} \\ \frac{1}{2} \text{ lb. of white bread.} \\ \frac{1}{2} \text{ a pint of toast and water.} \end{array} \right.$

The Females the same, with the exception of only receiving six ounces of bread at each meal.

DIETARY

In use at the General Penitentiary, prior to 4th July 1822.

Daily - - $1\frac{1}{2}$ lb. of bread made of such meal as the Committee may from time to time direct, for every male prisoner, above the age of 18 years; and 1 lb. for every other prisoner. But boys under 18 may have the full allowance of bread, if the governor and chaplain shall certify at the commencement of the week that their conduct has been meritorious during the week preceding.

For Breakfast - - - - - 1 pint of hot gruel or porridge.

For Dinner	Sundays	$\left\{ \begin{array}{l} 6 \text{ ounces of clods, stickings, or other coarse pieces of} \\ \text{beef (without bone and after boiling,) with half a pint of} \\ \text{the broth made therefrom.} \\ 1 \text{ lb. of boiled potatoes.} \end{array} \right.$
	Tuesdays	
	Thursdays	
	Saturdays	
	Mondays	$\left\{ \begin{array}{l} 1 \text{ quart of broth for the males, and one pint for the} \\ \text{females, thickened with Scotch barley, rice, potatoes or} \\ \text{pease, with the addition of cabbages, turnips, and other} \\ \text{cheap vegetables.} \\ 1 \text{ lb. of boiled potatoes.} \end{array} \right.$
	Wednesdays	
	Fridays	

For Supper - - - - - 1 pint of hot gruel or porridge.

N.B.—Prisoners may reserve such part of the provisions previously delivered out, as they please, for their supper.

Salt and pepper as the Committee shall from time to time direct.

The only liquor allowed to prisoners in health (except broth, gruel or porridge) shall be water.

Prisoners confined to bread and water diet for punishment, shall be allowed such quantity of bread as the surgeon may think necessary.

Prisoners employed in works of extraordinary labour, or under circumstances which may render it necessary, may be allowed an addition to the quantity of their provisions, by the direction of the Committee.

Memorandum :

Female prisoners employed in the wash-house shall be allowed an addition of $\frac{1}{2}$ lb. of bread, and an allowance of meat on washing days, until the further orders of the Committee.

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D I E T A R Y

Introduced at the General Penitentiary, on the 4th July 1822.

In the morning - Three quarters of a pound of bread, and one pint of gruel for the males; and nine ounces of bread, and three quarters of a pint of gruel for the females.

At noon - - - Three quarters of a pound of bread, and one pint of soup for the males; and nine ounces of bread, and three quarters of a pint of soup for the females.

In the evening - One pint of soup for the males, and three quarters of a pint for the females.

The soup to be made with ox heads, in lieu of other meat, in the proportion of one ox head for about 100 male prisoners, and the same for about 120 female prisoners; and to be thickened with vegetables and pease, or barley alternately, either weekly or daily, as may be found most convenient.

The Committee to substitute at their discretion, potatoes for bread, at the rate of 1 lb. of potatoes for $\frac{1}{2}$ lb. of bread.

The only liquor allowed to prisoners in health (except broth or gruel,) shall be water.

Prisoners confined to bread and water diet for punishment, shall be allowed such quantity of bread as the surgeon may think necessary.

Prisoners employed in works of extraordinary labour, or under circumstances which may render it necessary, may be allowed an addition to the quantity of their provisions, by the direction of the Committee.

Wardsmen, and those employed in the kitchen and bakehouse, shall be allowed $\frac{1}{2}$ lb. of bread extra daily.

Female prisoners employed in the laundry, shall be allowed $1\frac{1}{2}$ lb. of bread daily, with a double allowance of soup at dinner and supper, on the days in which they are employed in washing; viz. Mondays, Tuesdays, and Wednesdays.

Wardsmen, and those employed in the kitchen, shall be allowed $1\frac{1}{2}$ lb. bread daily.

N^o 1.—Extract from Minutes.

At a Meeting of the Superintending Committee, held 22d March 1822 ;

THE subject of the Dietary resumed consideration of, and a Report thereon by Dr. Hutchison submitted and read.

Resolved, THAT application be made to Sir James M^cGrigor, M. D. director general of the army medical board, by letter signed by the chairman, and transmitted through Lord Palmerston, requesting him, if he can make it consistent with his other engagements, to appoint a time for examining the state of the prisoners in the Penitentiary, and afterwards furnishing the Committee with a scale of diet such as he may deem sufficient.

N^o 2.—Copy Letter to Sir James M^cGrigor, M. D.

Sir,

General Penitentiary, 22d March 1822.

THE Committee of the Penitentiary having had under their consideration the dietary of the prisoners confined in that establishment, which has been suggested to be more ample than is necessary for persons in their situation, are desirous of obtaining the best medical opinion upon the propriety of reducing it; and, with this view, have to request, that if Sir James M^cGrigor can make it consistent with his other engagements, he would have the goodness to appoint a time for examining the state of the prisoners in the Penitentiary, and afterwards of furnishing the Committee with a scale of dietary, such as he may deem sufficient.

The Committee transmit a Copy of the Rules of the Penitentiary, in which the present Dietary will be found, page 38.

They beg to remark, at the same time, that it would greatly conduce to the safe custody of the prisoners, if sufficient nourishment could be obtained without the use of solid meat, as it would supersede the use of knives in the prison.

It may perhaps suit Sir James's convenience to be informed that the Committee meet to-morrow se'night at 12 o'clock.

I have the honour to be, Sir, your most obedient servant,

Sir James M^cGrigor, M. D.

(signed) C. Bathurst.

&c. &c. &c.

N° 3.—Report by Sir James McGrigor, M.D.

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Sir,

Army Medical Department Office, 27th April 1822.

I HAVE the honour to state, that, in compliance with the desire expressed in Mr. Bathurst's letter of the 22d March, I have twice visited the General Penitentiary, seen all the prisoners, and observed their dietary, and the portion of labour exacted of them, in order to enable me to form an opinion if the diet be more ample than is necessary for persons in their situation. Having given this subject the best consideration in my power, I beg to state to the Committee, that the scale of diet appears to me liberal in all its parts; and I am of opinion, that if half a pound of bread was deducted from each male prisoner, and two ounces from each female, the diet will remain quite ample; and I do not apprehend that this deduction will in any way affect the health of the prisoner, or occasion a falling off from the remarkably healthy appearance which they now exhibit.

I beg leave to state my further opinion, that if the liberal portion of boiled meat afforded be concentrated and mixed with a portion of broth, it will be equally nutritious to the prisoners, as if given in the solid form, and that if thus given, the use of knives and forks will be rendered unnecessary to the prisoners.

I beg to add, that I will have the greatest pleasure in attending to the wishes of the Committee, or of yourself, in any way my further services may be useful, and I have the honour to be,

Sir, your most obedient humble servant,

George Holford, esq. M.P.

(signed) J. McGrigor,

&c. &c. &c.

Director General Army Medical Department.

N° 4.—Extract from Minute.

At a Meeting of the Superintending Committee, held 24th May 1822;

Present:

Right Honourable Charles Bathurst in the Chair.

George Holford, esq. M.P.

William Morton Pitt, esq. M.P.

Giles Templeman, esq.

Honourable F. G. Calthorpe, M.P.

Davis Gilbert, esq. M.P.

Rev. Thomas Rennell, B.D.

Edward Bootle Wilbraham, esq. M.P.

Resolved, THAT the following Dietary be adopted, so soon as the same shall have received the sanction of the Judges, in the place of that at present in use, viz.

Daily bread for males, 1 lb. 8 oz. and for females 1 lb. 2 oz.

gruel - - - 1 pint - - - - - $\frac{3}{4}$ of a pintsoup - - - 1 quart - - - - - $1\frac{1}{2}$ pint

The soup to be made of ox heads in lieu of other meat, in the proportion of one ox head for about 100 male prisoners, and the same for about 120 female prisoners, and to be thickened with vegetables, and with pease or barley alternately, either weekly or daily, as may be found most convenient, seasoned with salt and pepper.

The Committee to substitute, at their discretion, potatoes for bread, at the rate of 1 lb. of potatoes for half pound of bread.

N° 5.—Extract from Minute, 31st May 1822.

At a Meeting of the Superintending Committee, held 31st May 1822.

Present:

E. B. Wilbraham, esq. M. P. in the Chair.

Giles Templeman, esq.

George Holford, esq. M. P.

Hon. F. G. Calthorpe, M. P.

William Courtenay, esq. M. P.

William Morton Pitt, esq. M. P.

The Minute of last meeting read and confirmed.

THE corrections, alterations and additions lately made to that part of the rules and regulations touching prisoners, read and approved of, and—

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Resolved, THAT the same, together with the new proposed diet, be transmitted to the Chairman (Mr. Wilbraham) to be by him laid before the Judges, for their sanction.

N° 6.—Extract from Minute, 11th January 1823.

At a Meeting of the Superintending Committee, held 11th January 1823.

THE medical officers Monthly and Quarterly Reports, submitted and read.

It appearing from these Reports, from the surgeon's (Mr. Pratt) journal, and from a letter which he had addressed to the visitors on the subject, that the number of cases in the female infirmaries, have, since Christmas, increased in a ratio far beyond all former precedent, the Committee proceeded to take the matter into consideration.

Of the number at present in the female infirmaries, being 63, one only is stated as being seriously ill, the diseases of the rest being chiefly pulmonic affection or common catarrhs, complaints of the stomach, and a very few of slight fever, not attributable to any particular cause.

To remedy the want of room in the female infirmaries for the accommodation of so many patients, the visitor (Mr. Mellish) had, at the beginning of the week, given directions to occupy the large room belonging to pentagon, N° 6, (male division,) and to shut up the communication.

In the male infirmary no remarkable increase has taken place, there being at this time only 18 patients, who are all doing well, with the exception of two labouring under consumption, and no hopes of recovery.

Having consulted the medical officers, it was in the mean time—

Resolved, THAT until further orders, a pint of gruel be furnished to each female prisoner, in the evening, in place of soup.

N° 7.—Extract from Minute, 8th February 1823.

At a Meeting of the Superintending Committee, held 8th February 1823.

IT appearing from the surgeon's (Mr. Pratt) journal, and monthly report, that some few cases of scurvy have occurred, and in consequence of the remarks made by him, as to the present dietary—

Resolved, THAT Sir James M^cGrigor, M. D. be requested to visit the prison, and state his opinion of the effects of the dietary.

N° 8.—Copy Letter to Sir James M^cGrigor, M. D.

Sir,

General Penitentiary, 8th February 1823.

UPWARDS of seven months having now elapsed since the new dietary was established, the Committee will be much obliged to you, if you would take the trouble to visit the Penitentiary, and state your opinion of the effects of such dietary.

The Committee are the more inclined to make this request, as a greater degree of illness has prevailed in a part of the prison, than in former winters.

I have the honour to be, Sir, your most obedient servant,

(signed) *George Holford.*

Sir James M^cGrigor, M. D.

N° 9.—Extract from Minute.

At a Meeting of the Superintending Committee, held 22d February 1823.

THE report of Sir James M^cGrigor, M. D. read; in which he states, that “having seen the whole of the female, and many of the male prisoners, he found them not in an unhealthy state; and, from a minute inspection of the infirmaries, he ascertained, that while the proportion of sick was small for the season, their diseases were not, but in a very few instances, of a serious character, and not attributable to diet or confinement.”

N° 10.—Report of Sir James McGrigor, M.D.

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My dear Sir, Army Medical Department Office, 17th Feb. 1823.

I REGRET that pressure of business has prevented my writing you on Friday, as I promised, when I had the pleasure of accompanying you through the Penitentiary, on the 14th instant.

Having seen the whole of the female and many of the male prisoners, I found that they were not in an unhealthy state. From a minute inspection of the prisoners in the infirmaries, I ascertained, that while the proportion of sick was small for the season, their diseases were not, but in a very few instances, of a serious character, and not attributable to diet or confinement.

I beg leave to suggest, that returns be furnished :

1st.—Of the number of persons, distinguishing male from female,

From 14th February to 13th July 1821.

14th July 1821 - 13th Feb. 1822.

14th Feb. - - 13th July —

14th July - - 13th Feb. 1823.

2d.—For each of these periods, the diseases, classed in some form, as fever, pulmonary, flux, &c. &c. and distinguishing male from female.

3d.—The deaths, specifying names, diseases, period of confinement, as well as period in hospital before death, for each of the periods as above.

Although such a statement as this cannot give conclusive evidence, that the small change in the diet has wrought a change on the number or nature of the diseases which has appeared, it will go some way.

I beg to assure you, that in any thing I can do, I am ever at your command.

Believe me, my dear Sir, most truly your's,

J. McGrigor.

N° 11.—Extract from Minute directing a Special Committee.

At a Meeting of the Superintending Committee, held 22d February 1823.

Resolved, THAT the Committee be summoned to meet on Friday next, at one o'clock, for the purpose of taking the present state of sickness and dietary into consideration; and that the Rev. Mr. Rennell and Geo Holford, esq. meet at half past eleven, to examine the cash book for last year

N° 12.—Extract from Minute.

At a Special Meeting of the Superintending Committee, held the
28th February 1823.

THE Committee having met on special summons, to consider what steps should be taken, in consequence of the unusual degree of sickness which has of late prevailed in the prison.

Resolved, That two physicians be professionally employed to visit the infirmaries, to communicate with Dr. Hutchison and Mr. Pratt, and to give such directions for the treatment of the patients as they may think proper; and that they be requested to direct their attention to the causes of such sickness, and particularly to inquire how far the same is to be ascribed to the dietary. That for this purpose they be desired to meet either daily, or so often in the week as may appear to be necessary, and for such period as may enable them to form a decided opinion upon the subjects referred to them.

Resolved, That Dr. Maton and Dr. Latham be requested to accept of this duty.

Resolved—That Sir James McGrigor be requested to endeavour to meet with these gentlemen at the Penitentiary during the investigation, and favour them or the Committee with any remarks that may occur to him.

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N° 13.—Extract from Minute.

At a Meeting of the Superintending Committee, held 1st March 1823.

DR. MATON having declined the invitation to attend the prison, the visitor, Mr. Courtenay had applied to Dr. Roget, who, accompanied by Dr. Latham, waited on the Committee, and afterwards proceeded to the inspection of the infirmaries and the prisoners, generally.

CORRESPONDENCE :—I.

N° 1.—Copy Letter from William Courtenay, esq. to William Morton Pitt, esq.

Dear Sir,

Duke-street, 8 May 1823.

A LETTER has appeared in the public newspapers upon the subject of a late inquest at the Penitentiary, and signed by Dr. Hutchison, in which amongst other things are contained the following statements ; viz.—

“ I have been understood, by a great portion of the public, as the adviser of the diet, and that I was the medical man alluded to, which may seriously affect my professional character. Both imputations are unfounded ; for the scheme of diet therein adverted to was one I disapproved, and was adopted contrary to my opinion and advice.”

The Committee have been a good deal surprized at these statements ; for we do not find any letter or statement of Dr. Hutchison’s about the time of fixing the dietary, expressive of his disapprobation.

As we have to ask the benefit of your assistance here, we cannot be certain as to what communications might be made to you upon this subject, and therefore I am desired to trouble you with this letter, to request that you will inform us, whether you are aware of any letter or statements in which the disapprobation alluded to was expressed.

The scheme of dietary, which was adopted in July last, being in your hand-writing, we presume that such disapprobation had not been expressed to you ; and indeed, when that scheme was resolved upon by the Committee, we distinctly understood from you, that any objections which Dr. Hutchison might have entertained to the proposed alteration, had been removed, and that he acquiesced in such alteration.

Have the goodness to give us any information in your power upon this point.

I am, dear Sir, yours faithfully,

(signed) *W^m Courtenay.*

N° 2.— Copy Letter from William Morton Pitt, esq. to William Courtenay, esq.

Dear Sir,

Dover-street, May 9th, 1823.

I HAVE to acknowledge the receipt of your letter of yesterday’s date.

The subject of the alterations of the dietary at the Penitentiary was in agitation, to the best of my recollection, from an early period in the last year, though not finally determined upon till the month of June, and about three weeks after I left London. But I should think myself acting a very mean part, if I endeavoured to take advantage of my absence, and if I did not take a very full share of the responsibility of having recommended that measure. I had long been of opinion, that the original diet at the Penitentiary was much too high for persons under the circumstances of those for whom it was intended. I compared its dietary with those in other prisons, and found that it far exceeded in that respect any in this kingdom.

Having for nearly 40 years been a visiting magistrate of the prison at Dorchester, it was not unnatural that I should feel some bias towards the practice adopted in that place ; and in my own justification I must beg leave to enter a little at length on this part of the subject. For about 14 or 15 years past our Dorchester prisoners have been excluded from any solid meat whatever, and their food has been, invariably, 1½ lb. of bread, made of the whole produce of the wheat, without taking out any bran, pease soup or barley broth (in which was boiled a very small proportion of coarse meat, and very inferior to the soups at the Penitentiary,) either alternately or as was found convenient ; and water.

The surgeon of the gaol at Dorchester had doubts in his mind at first, whether food of this description would be sufficient for the purposes of health and strength ; but considering the advantage likely to result to the public from every measure which

which tended to rendering a prison an unenviable situation, he determined to suspend declaring such doubt for a time, but narrowly to watch the effects, if any, produced by the diet in question, with the intention of making the objection so soon as he should find grounds for it, but not sooner. This objection he has never made, and he has always found the general health of our prisoners to have been good in a greater degree than falls to the lot of the generality of mankind. There is one circumstance which I should notice, that whereas, previous to the adoption of that diet, fluxes were complaints often prevailing in that prison, the instances of that disorder have scarcely ever occurred since its adoption ;—strongly impressed in its favour, thus grounded on long experience, and firmly believing it to be most healthy food, I mentioned our Dorsetshire practice, and it appeared to meet with the approbation of several members of the Committee.

Whilst this matter was in agitation, I had several conversations with Dr. Hutchison ; I found that he agreed with me in thinking that our first dietary ought to be materially reduced, but he unquestionably never, in any of our conversations, receded from this point, that, *in his opinion, some solid meat should be given.* I left London the latter end of May, with, most certainly, a strong personal prepossession in favour of our Dorsetshire system, without being convinced by the force of Dr. Hutchison's objections, which I really thought would hereafter be removed, by his not finding, when tried, the ill effects he expected, realized, and myself conceiving that this diet might be adopted, not only without inhumanity or any risk of health, but really the reverse ; and I urged several of my friends on the Committee to bring this very important matter, in my judgment, forward for consideration and decision, before the Committee should separate for the summer. In June, I received a letter from a member of the Committee, informing me that the plan had been adopted ; whether any reference was made after I left town, and immediately before the adoption of the measure, to Dr. Hutchison, I was not informed of, and my supposition naturally was, that there had, and that if his preference continued to be in favour of a *certain* though *reduced* portion of solid meat, yet that, perceiving it to be the tendency of the sentiments of the Committee to adopt the Dorsetshire system, he (in the same manner as the surgeon of the Dorchester gaol had done) waited to observe the effect to be produced by the alteration, when, if necessary, he could restate his objection on the basis of actual experiment. If the point was not referred to him formally, and he felt a disposition to acquiesce, as far as his duty would permit him, in the apparent, and may I say laudable, wishes of the Committee, to introduce a system of food more adapted to the nature of the case, he might not think it necessary, unasked, to repeat his former sentiments, and if it was referred, his written representation in answer to that reference, will prove what were those sentiments.

For a considerable time, as I understand, no inconvenience was found to exist ; I therefore am led to suppose, that the lamentable increase of sickness of late is probably much more to be attributed to the universal unhealthiness of the season, than to the alteration of diet.

It appears, from documents now before the House and the public, that Dr. Hutchison has ascribed the disorder in question in a great degree to the want of air and exercise ; I must admit, that the employment of the prisoners in the gaol at Dorchester is almost universally in the open air, principally in gardening, &c. and of late in the tread mill, whereas that of the Penitentiary prisoners is chiefly sedentary ; that the terms of imprisonment at Dorchester are usually from a few months to two years at the most ; that the inhabitants of the country are a more hardy race, and accustomed through life to a more simple fare : all these may produce a material difference ; yet still the bias on my mind is very decidedly, that the illness, if not wholly, or even perhaps in any degree, attributable to a diet far superior to that of millions of persons who are at large in this kingdom, work hard, and maintain themselves and families, without injury to their health.

I cannot conclude this letter, without taking the opportunity of adverting to the dilemma in which I find myself placed. On the one hand, I have felt myself called upon by friendship for Dr. Hutchison, to express in my letter to him, and which he has inserted in his pamphlet, the regard and esteem I entertain for him, whilst on the other, I may appear by so doing to be taking part against those friends with whom I have so long been in committee. Circumstances compel me not to be silent ; I regret it extremely indeed, but I have considered the line I have taken to be a paramount duty. Feeling, as Dr. Hutchison has felt, and still feels, I cannot discover any thing objectionable in his expression of those feelings, or in the *tone*

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of that letter, which has caused him to be dismissed from his situation ; and, judging from what I have myself observed of his attention to the performance of his duties, and from his character for so many years, I cannot, consistently with what I conceive to be the truth, disguise the opinion I have formed, that unfortunate circumstances have caused steps to be taken, which grievously, and I must say that it appears to me, undeservedly, do injure his character. Called upon, as I am, for a statement, and connected, as that statement must be, with my sentiments on this subject, I must represent them as they are.

Considering how much he has at stake, and your letter as official, and written as Chairman of the Committee and *not private*, I trust it will not be deemed improper in me to have communicated to him your, as well as this, my answer.

I remain, my dear Sir, your's faithfully.

(signed)

W. M. Pitt.

N° 3.—Copy Statement from Committee to William Morton Pitt, esq.

General Penitentiary, 17th May 1823.

MR. PITT's letter of the 9th instant, to Mr. Courtenay, in answer to one from him of the 8th, has been laid before the Committee ; and although Mr. Courtenay's letter was not written by him as chairman of the Committee, it was written by their desire, and Mr. Pitt was therefore quite at liberty to treat it as a public letter, and to communicate it, together with his answer, if he thought fit, to Dr. Hutchison.

The object of Mr. Courtenay's letter was, to obtain such account as Mr. Pitt might be able to give, from recollection, of a communication made by him to the Committee on the 24th of May last, respecting the sentiments of Dr. Hutchison on the dietary then adopted.

Mr. Pitt's answer of the 9th, now laid before the Committee, admits very fully the part he took in recommending the new dietary. He states, that " leaving town " before it was determined upon, he urged several of his friends to bring it forward, " for consideration and decision, before the Committee should separate for the " summer ; and that in June he received a letter from a member of the Committee, " informing him that the plan had been adopted." He mentions, that, " while this " matter was in agitation, he had several conversations with Dr. Hutchison ;" but that " agreeing with him (Mr. Pitt) that the former dietary ought to be materially " reduced, he unquestionably, never, in any of their conversations, receded from this " point ; that, in his opinion, some solid meat was necessary ;" and Mr. Pitt states himself to have naturally supposed, that some reference to Dr. Hutchison, concerning the dietary, had taken place after he left town, and immediately before the adoption of the measure.

In this letter, which appears to the Committee to have been written hastily, from an anxiety to return an answer to the inquiry addressed to him, without delay, the Committee think that Mr. Pitt has fallen into some mistakes.

The new dietary was adopted on the 24th of May last, at a meeting of the Committee, which had been specially summoned for the purpose of taking this important subject into consideration. The meeting consisted of nine members of the Committee, of whom Mr. Pitt was one ; and Mr. Bathurst, who was not in the habit of attending, unless particularly requested to be there on business of consequence, was in the chair.

The dietary was not transmitted to the Judges for their sanction on that day, it being intended to send with it for confirmation a few alterations in the rules, which were not quite prepared ; but the altered rules having been laid before the next meeting of the Committee, held on the 31st of May, a resolution for sending these rules to them, together with the dietary, was then passed ; and at this meeting also, Mr. Pitt was present.

These dates admit of no doubt, being proved by the minutes ; but the recollection of more than one of the members of the Committee, goes on to the fact of Mr. Pitt's having introduced the new dietary (the original of which is among their papers, in his own hand-writing,) with a detailed verbal account of a communication which he had held with Dr. Hutchison, in which the latter acquiesced in Mr. Pitt's proposed dietary, and expressed himself satisfied that it might safely be put in operation.

It can hardly be supposed that the Committee would have proceeded to determine upon this dietary, without some reference to Dr. Hutchison, unless they had conceived themselves to have been apprized of his sentiments in regard to it, particularly

larly when the decision was not an unanimous one, there being one member present who was averse to the change.

The Committee also believed that Mr. Pitt had the sanction of Dr. Hutchison for the number of ox heads to be used for the soup. The dietary, mentioned by Dr. Hutchison, in his letter of the 22d of March 1822, which is for six days in the week, the same with that adopted by the Committee, viz. brown bread, gruel and soup, specifies the soup to be as then made (*or of ox cheek,*) although the words underlined do not appear in the paper printed by Dr. Hutchison for circulation among his friends, but Dr. Hutchison says nothing about the quantity of ox cheek; it was, therefore, natural to suppose, that, as Mr. Pitt had conferred with him upon the dietary, he had conformed to Dr. Hutchison's views in this particular. It now certainly appears, that Dr. Hutchison had not at that time any distinct notion of the quantity of sustenance to be derived from an ox head; for in his letter to the Committee, dated on the 28th February, eight months after the dietary had been in operation, he states, that on strict inquiry, he finds that the animal matter of the largest ox head weighs only 18lbs. and taking the smallest at 14lbs. he fixes the average weight of the head at 14lbs.; whereas, on the 19th of April, he reasons upon the weight of animal matter derived from each ox head as being only 8lbs. or, at most, 9lbs.

As Mr. Pitt has adverted to his letter of the 26th of April, to Dr. Hutchison, which has been published by him, if not with Mr. Pitt's previous consent, at least without any disapprobation expressed on his part, the Committee think it right to make a few observations upon that letter.

Mr. Pitt's letter to Dr. Hutchison contains a general and unqualified approbation of his conduct at the Penitentiary, and a charge against the officers of the prison of being concerned in "cabals," and in "a system of malicious tale bearing," which Mr. Pitt assumes that the Visitors omitted to discourage.

The Committee do not dispute Mr. Pitt's right to publish his testimony in favour of Dr. Hutchison, however it may bear upon them, provided it be so given as to enable those who may read it, duly to estimate its value, and to understand distinctly to what portion of Dr. Hutchison's conduct it relates; but when Mr. Pitt states, that he has been a Member of the Committee of the Penitentiary from the beginning, till within a few days of the 26th of April last, and proceeds shortly after to say, that "every part of Dr. Hutchison's conduct, which had come to his knowledge, had appeared to him most correct," the Committee feel, that he ought not to have omitted to state, that although his name stood in the list of the Committee till within a few days of the date of his letter, he had never attended any of their meetings since that of the 31st of May 1822; a circumstance which would fairly lead to a presumption, that he might be unacquainted with various facts which came before the Committee relative to Dr. Hutchison, since that time.

Dr. Hutchison states as follows, in his printed letter:—"At a particular period last year, there was an organized plot to take away my character, by an imputation of ebriety, proved to be unfounded, to the satisfaction of yourselves, the Committee." The statement which Mr. Pitt would have received from that Committee, of which he was till lately a member, if he had made any inquiry on the subject, would have been a very different one.

In June last, a very grave charge was made against Dr. Hutchison, of which the Committee do not think it necessary now to enter into the particulars. It was not a malicious tale, the result of cabal or intrigue, but it was a statement regularly communicated through the proper channel, the Visitor (Mr. Courtenay,) to the Committee, and it was then, and is still, believed by the Committee to be true.

When Dr. Hutchison was first made acquainted with the charge, he appealed to some of his private friends to come forward in support of his character; but when these friends had seen and communicated with some of the members of the Committee, they were satisfied that Dr. Hutchison had been most kindly dealt with; and, by their advice and persuasion, he wrote a letter to the Committee, expressing sentiments of the highest gratitude for their very friendly and most kind demeanour towards him." Ever since that time, however, he has behaved to the chaplain, whom he erroneously suspected to be the author of the accusation against him, with marked disrespect, by withholding from all communication whatever with him; and has conducted himself in such a manner towards the matron, and the nurses in the infirmaries, as to deprive the establishment of the benefit of that co-operation, between the different persons engaged in the care of the prison, which is essential to the welfare of the prisoners. When Dr. Hutchison speaks, in his printed

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letter, of having been “not only exposed, during the last twelve months, to slights and detractions, and fabricated imputations upon his character,” but “harassed and insulted by numberless and nameless thwartings, misconstructions and secret intrigues, which,” he says, “are well known to the Committee;” of “having been goaded beyond all human endurance,” and of “treading upon covert and insidious embers, where he was surrounded on all sides by traps and pitfalls,” the Committee no more comprehend what is meant by such language, than they understand the meaning of Mr. Pitt’s remarks, concerning “jealousies and cabals amongst their officers,” and “a system of malicious tale-bearing.”

With reference to that part of Mr. Pitt’s letter, which states it to have been a fundamental error at the Penitentiary, “that, with the exception of the newly appointed governor, those who have been appointed to that office have never been invested with the powers due to their situation, and necessary to maintain order and subordination;” the Committee think it right to observe, that the present governor is not invested with any other powers than those intrusted to his predecessors; and although the Committee have long thought, as Mr. Pitt does, that it will conduce very much to the well-being of the Penitentiary, to have a governor at the head of it of a different rank in life from that of the persons who have filled that situation before the late appointment, yet their opinion on this point is not at all connected with any supposed necessity for putting an end to the malicious system or practices which are alleged in Mr. Pitt’s printed letter, and that of Dr. Hutchison, as they have no knowledge of the prevalence of any such evils in their establishment; and they consider it to be no more than is due to their officers, to declare their belief, that this imputation upon their characters is wholly without foundation.

CORRESPONDENCE II.

— 1. —

Sir,

General Penitentiary, 24th May 1823.

IN pursuance of two several orders of the Committee of the House of Commons on the Penitentiary, I have the honour of transmitting to you, as chairman, by direction of the Superintending Committee of this establishment, a copy of Mr. Hobhouse’s letter of the 25th of April 1823, calling for information respecting the death of *Ann Martin*, with the answer made by order of the Committee thereto; and a copy of Mr. Hutchison’s letter to the said Committee, of date 2d May 1823.

I have the honour to be, Sir, your most obedient servant,

To the honourable Henry Grey Bennet, Chairman, *Robt Auld, Secy.*
&c. &c. &c.

— 2. —

Gentlemen,

Whitehall, 25th April 1823.

I AM directed by Mr. Secretary Peel, to desire that you will transmit to me, for his information, a statement of the circumstances connected with the death of *Ann Martin*, late a convict in the General Penitentiary at Milbank, on whose body an inquest was held by the coroner for Westminster on Tuesday last.

I have the honour to be, Gentlemen, your most obedient humble servant,

To the General Committee of the Penitentiary at Milbank. (signed) *H. Hobhouse.*

Sir,

General Penitentiary, 3d May 1823.

I AM directed by the Superintending Committee of this establishment, to transmit to you the following Statement, in answer to your letter of the 25th ult. requesting to be furnished with an account, for the information of Mr. Secretary Peel, of the circumstances connected with the death of *Ann Martin*, a prisoner, on whom an inquest was held on Monday the 28th of April.

Ann Martin died of gangrene, succeeding to a disease of the spine of long standing, after being in the infirmary for about four months, viz. from the 20th to the 24th December 1822, from the 31st of that month to the 15th of January 1823, and from the 19th of that month to the 20th of April last, on which day she died.

Her disorder was at first supposed to be a rheumatic cold, as she complained of pains in the back and loins. It appears that a plaister was applied to her back as early

early as the 30th of December; and the general treatment to which she was subjected in the infirmary, was such as is calculated for the cure of rheumatism. Towards the latter end of February her complaints became of such a nature as to indicate disease in the spine; and it was then learned, from herself, that she had met with an accident many years before she came into the Penitentiary, by which her back had been very seriously injured, and, in consequence of which, she had been, during a considerable time, a patient in St. Bartholomew's hospital, as appears from the evidence of Sarah Martin, the deceased's sister, before the coroner, and confirmed by her mother, who attended the funeral.

She was not, during any part of her illness, affected with the scorbutic disease, which has been lately prevalent in the prison.

The verdict of the coroner's jury, upon this occasion, was as follows:—"The deceased, Ann Martin, between July 1822 and January last, became unwell and disordered in her body, occasioned by the short allowance and the quality of the provisions given her in the said prison; that on the 19th January last she was removed into the infirmary thereof, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased, and she became paralysed, her stools and urine passed involuntarily, large ulcerations took place on the right thigh, which mortified and caused her death."

To account for a verdict so much at variance with the facts above stated, it will be necessary to mention what passed before the coroner on this occasion. After a short examination of the surgeon, the jury called in Sarah Martin, sister to the deceased, who had been confined in the same cell with her in the prison previous to her removal into the hospital, and had been allowed to remain with her there during the last month or five weeks of her illness; before this prisoner was examined, the jury insisted that all persons connected with the prison should withdraw, lest the witness should be under any fear or embarrassment while she gave her testimony; of this proceeding the Committee do not complain; but they do consider it as a just cause of complaint, that the jury should have found a verdict upon the testimony of this witness, without communicating her evidence to any of the officers of the prison, in order that it might be explained or contradicted;—without any attempt to discover the nature of the disease of which the prisoner died, by the examination of the persons who attended upon her in the infirmary, and by the medicines or applications administered to her there; and without any particular inspection of the body on which the inquest was held, on which they would have found the scars of the issues opened in the back of the deceased many years ago, for the cure of those complaints connected with a diseased spine, the recurrence of which complaints, and not the want of sufficient food, was the occasion of her death.

The evidence, however, of Sarah Martin, although very erroneous, and evidently insufficient to account for the death of the deceased, near four months after the time to which it must relate, has been so entirely mis-stated in the public newspapers, that the Committee have thought it right to subjoin to this letter, for the information of Mr. Secretary Peel, a copy of the testimony as it stands in the coroner's minutes. The Committee have thought it better not to put any questions to Sarah Martin, in regard to the evidence she has given; and it would be difficult now to ascertain what proportion of the provisions delivered out, Ann Martin was in the habit of consuming previous to her removal to the infirmary; but the Committee have not been able to discover that any part of it was returned.

I have only further to state, in excuse for the delay in answering your letter, that the Committee thought it their duty to call upon their late medical superintendent (Mr. Hutchison) for information respecting the medical treatment of the deceased in the infirmary, and the causes of her death, he having been in charge of the infirmary when she was removed to it in December and January last, and having continued in the superintendence thereof until twenty-four hours of her death, which had been anticipated for a long time.

The Committee accordingly, on receipt of your inquiry, directed a letter to be written to Mr. Hutchison, a copy of which is herewith annexed, to which no other answer has been yet returned, than a short note addressed to the Secretary, a copy of which is also annexed.

I have the honour to be, Sir, your most obedient humble servant,

Henry Hobhouse, esq. (by order of the Committee)

&c. &c. &c.

(signed)

Robt Auld, Secy.

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Sarah Martin, late of the parish of St. Giles, Middlesex, and now a prisoner in this Penitentiary, on her oath deposeth,—

The deceased was my sister ; she was first taken ill with a cold in November last, she wrote for the doctor to admit her into the infirmary, where she was admitted three days after ; she was removed to the pentagon ; she was again admitted into the infirmary in January. I was not allowed to remain with her until the 24th of March. She became unwell soon after the short allowance was regulated, and was very indisposed at times, until she was finally admitted into the infirmary ; the diet affected her inside, as it did mine, and also others. Since the full allowance of victuals there has been no reduction of it. The deceased hurt her back when she was about six years old ; but when she recovered from that, which was about two years after, she continued in good health, until the time before-mentioned, when she was in this prison, and the short diet commenced. Her illness was brought on through want, as she could not eat the victuals allowed her, and could not procure other victuals ; she tried to eat the said victuals, but could not ; she eat the soup as long as she could, but was unable afterwards to take it ; this the people of the prison knew. As to the bread she would not eat an ounce in three days ; and the soup she would take none of it for weeks before she was admitted into the infirmary ; the gruel was 3-4ths of a pint once a day, the greatest part of this she drank ; she had water allowed her.

(signed) *Sarah Martin.*

Sir,

G. P. 26th April 1823.

I AM directed by the Superintending Committee to enclose a copy of the verdict of the jury, and of the evidence taken before the coroner on the death of *Ann Martin*, of which an inaccurate account has appeared in the public papers ; and to request, on the part of the Committee, that you will furnish them with such information respecting the removal of the deceased prisoner to and from the infirmary in December and January last, and the treatment there, as you may be able to give on the subject.

I am, Sir, your most obedient servant,

(signed) *Rob^t Auld, Sec^y.*

A. C. Hutchison, M. D.

Sir,

Spring Gardens, 30th April 1823.

I SHALL answer your last letter when my present indispensable engagements will give me leisure ; but I cannot help thinking, that it is with a bad grace such an application is made to me, by those who have refused me an answer to so reasonable a request, as that of knowing the members who were present at my dismissal.

I am, Sir, your very obedient humble servant,

R. Auld, esq.

(signed) *A. Copland Hutchison.*

Gentlemen,

Spring Gardens, May 2d, 1823.

I HAVE to acknowledge the intimation sent to me, through your secretary, of date 19th of April, of my dismissal from the situation of medical superintendent of the National Penitentiary. As I have already told you, that no man of liberal education, or of common spirit, could submit to be treated as I had been, and that I had retained my situation so long, merely from attachment to the institution and from the love of my profession, it was not matter either of surprize or mortification, that you had put your threat, communicated to me a few days before, into execution.

In my last letter, I promised to make some more ample remarks on the whole of the measures which have been of late adopted for the amelioration of the condition of the prisoners ; and this I am the better enabled to do, from having since seen the printed report of the physicians, whom you had appointed to supersede me, as it were, in my professional duties.

I propose in this letter, to give an outline of the whole case, though the greater part of it be known to some of you. My intention in being so full, is for the benefit of such of you as, I am well aware, have little knowledge, far less any participation, in the measures adopted ; for, besides that the real management has at all times been in the hands of two of your members, no less than seven respectable members have very lately resigned, and as many strangers have been introduced. The statement is also for the information of the public, who have a right to know the whole circumstances and bearings of the case. But the main and beneficial purpose I have

have in view, in this address to you, is, that it may serve as a beacon and guide to warn and direct those who, whether yourselves or others, may in future conduct the administration of an institution which, notwithstanding the present adverse appearances, may still I am well convinced, under proper management, fulfil the benevolent intentions of the Legislature.

I have had frequent occasion to advert to the very singular nature of the prevailing distemper; and that from my situation in the naval service, it became my duty to study the history as well as the treatment of this malady. In the course of my researches I have found, that though it be termed the sea scurvy, there are proofs of its having taken place in common life.

Of these I may quote one, taken from a very eminent crisis in the history of Europe, as related in the Memoirs of the Academy of Sciences, when a famine occurred in France, in the year 1699, in which the scurvy is represented as one of most remarkable calamities in Paris, caused by this deficiency of food.

It is also well authenticated by contemporary physicians, that it was known in London in former ages; and the official reports from the depôts of prisoners of war, contain evidence of its having prevailed at Norman Cross and at Liverpool, among them, about 24 years ago. This was imputed by the medical officers of those establishments, to want of exercise and recreation, as well as a long continued course of scanty food. Some of the best authors on this disease, as it prevails at sea, also attribute it, not to the salt quality of the provisions, but to the deficiency and vitiation of nutritious matter contained in the food.

Deeply impressed with these truths, I officially entered a caution against a very great proposed reduction of the food of the prisoners, in my written communications to the Committee at that time, the 22d of March 1822.

This was paid no regard to, and the diet, as described in the printed report of the physicians already alluded to, was adopted.

The physicians, in their Report to the Committee, and printed by order of the House of Commons, after considering and rejecting all other alleged causes, have distinctly attributed this disease to the reduced diet, which the Committee ordered in opposition to my caution; and while the deplorable effects consequent on this decision of the Committee, are to be lamented by all those who can feel for human nature, even in its lowest degradation, yet to me, professionally, it must be matter of consolation, not to say of triumph, that the evil was foreseen, and would have been averted by the advice which I gave, if that advice had been followed. The only cause they assign, and which they assign with truth, for the exemption of a few of the prisoners, is the better fare they had, as assistants in the kitchen, from the more generous diet they met with in that situation.

Of all this, there needs no other evidence than the correspondence on your own records, and the comparison of the table of diet ordered by you, with that recommended by me, also to be found on your records; nor needs there any comment, but that unequivocal condemnation of your own diet, by your own physicians.

To these records and to that report I refer the Legislature; and in the face of my country and your's, not as your officer, which I no longer am, but as one of that public to whose bar we are all amenable, and as a subject of this most blessed of all governments, which protects the weak against the strong, and justifies the fair animadversions of every member of the community, on the conduct of every public man; I wash my hands of all responsibility for the late and still existing calamity, with which the convicts in the Penitentiary are afflicted, and leave it to an impartial public to pronounce upon whom the responsibility ought to light.

These physicians are highly commendable for the candour, truth and judgment evinced in this part of their report; and I have little to accuse them of, but what is imputable to those who appointed them.

One of these gentlemen has been long and intimately known to me, and highly respected by myself and all who know him, as one possessed of literary and scientific attainments of the highest order, and equally respectable by his moral qualities. But it is well known, as a lamentable truth, that in medicine, above all other professions, the success of practitioners depends on far other qualities than those which ought to recommend them in the eye of reason; and were I not compelled by that attitude of defence into which you have forced me, I should not alledge, as I now do, that this gentleman could have had little or no experience in the treatment of this disease.

With regard to the other gentleman, though I had not the pleasure of a previous acquaintance with him, I have never heard any thing to his disadvantage; on the

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contrary, I believe he stands very fair in character. But as in the former case, I must say, *carus Plato carior veritas*. It is no fault of his that he is a young physician, little known as yet but as the son of a respectable ex-president of the college of physicians; and whatever I have said of the want of practical opportunities regarding the other, applies still more strongly to him.

It would be a ridiculous piece of presumption in me to suppose that any tenderness for my personal feelings ought to weigh a hair in matters of this moment; and if a disregard of the usages and decorums of the profession could be proved in any case to be in any way conducive to the great and paramount ends of benevolence, it would be the highest impertinence in me to raise such objections; and in this view I should think it my duty to repress my feelings.

But suffer me to recall to your recollection how this matter stands:—

On the fourteenth of February last, when the present malady had commenced, Sir James M^cGrigor was sent for to visit the establishment without my knowledge. I understood him (from the surgeon) to have expressed his satisfaction with the general appearance of the state of health of the prisoners; an opinion which he has since repeated to myself personally. I ask, was Sir James enabled to perform this duty the better, by the insult which you, not he, committed on me, by his not holding any communication with me? and how does his report accord with what is mentioned in the physician's report of the matron having stated, that great symptoms of debility had been observed by her in the course of the two preceding months? a remark that she ought at the time to have communicated to me, if indeed she did observe any such thing. I, myself, was not *forward* in attributing bad effects to your diet, lest I should appear captious; but it is plain, from the tenor of my report in January last, that my opinion regarding the prejudicial effects of the diet established by you, remains unchanged; for after stating that the prisoners had not hitherto experienced any injurious effects from the reduced dietary, I go on to say, that "if I were asked whether I believed that a sufficient period had elapsed, to give the present system a fair trial on the health of the prisoners, my reply would be, that I do not consider a sufficient time to have elapsed to answer the question decidedly; nor do I think a shorter period than two years* *from the commencement of the present system, to be long enough* to come to a decision on this important subject, unless, indeed, some very *unexpected indisposition were to arise* among the prisoners in the meanwhile, of which I should give due notice to the Committee, or the Visitors for the time being."

I will freely confess, that in using these last portentous words, I did not apprehend that their fulfilment was so near at hand, and will not assume the credit of prophesying what happened, though in less than a month this *unexpected indisposition* did actually arise. I perceived its approach, and gave official notice of it on the 8th of February, when there were but four or five individuals in whom it had clearly developed itself, having previously prescribed for these individuals, lemons and lemon juice.

With what face of truth then can it be alleged, that I did not early perceive, and announce the existence of this malady? I did not give notice of it at the time I first perceived it; for I had fresh in my memory, a passage in a letter of Mr. Holford's to me (not three weeks before,) in which he highly approves my not immediately making public what I observed, of an illness which occurred immediately before that time, for fear, as he said, "of spreading an alarm which might even add to the number of the sick." This letter, dated 22d of January, now lies before me.

When my great difference of opinion from you, regarding the diet, occurred in March 1822, I expressed a wish for a consultation, and gave the names of five or six of the most eminent and oldest practitioners, all distinguished by their professional and scientific merits, and all considerably older than myself: some of them were personally known to me, some of them not, and some of them had actually practised in this very rare disease. This request was denied me; but it affords a sufficient answer for what has since been alleged against me, that I felt objections to the assistance of others. Had my plan been adopted, either at that time, or on the late occasion, a very few consultations with one or more of eminence (I verily believe without any expense to the public) would have sufficed, instead
of

* I have been informed, from the best authority, that it was not till after more than two years confinement that some of the prisoners of war became sensibly affected with this disease.

of a total suspension of my daily duties for a length of time by those you have appointed.

I must here be permitted to say, that having been twenty-four years in the active discharge of medical duties at sea, in hospitals, and private practice, I humbly conceive, that it was not too much to expect some courtesy, both from yourselves and the two physicians of your selection. They were pleased, indeed, to listen to such information as I had to communicate to them at the beginning of their attendance, which I did most freely and anxiously, judging that I was thereby promoting the ends of their mission. But I was soon given to understand, that I must not consider myself as their associate; and after gradually declining to meet me, at last they left me out of their consultations, and they continued to act and make a report without reference to me.

Now, gentlemen, I must be free again to avow my suspicions that the physicians must have acted under your influence; for I aver, from my knowledge of life, that no professional men of liberal sentiments, nor who understood what was due to themselves, and to the sacred and important duties in which they were engaged, would have so conducted themselves, except in virtue of instructions from their employers. And, indeed, on this point I can entertain no doubt, for you refer to them exclusively, in the audiences which you give them; and my prescriptions for the sick, even previously to my letter of the 8th of April, were refused to be complied with by the surgeon, either in the medical or surgical department.

But I am far from having done with the subject. I am going unequivocally to allege, that by this want of free and confidential communication with me, and by my suggestions being disregarded, the sick have substantially suffered.

When these two gentlemen consider dispassionately the cruel situation in which I am placed, they will require little apology for what I am about to state, as compulsory on me in my own defence.

Among the peculiarities of this disease, it is none of the least, that there has been discovered a specific remedy for it, more certain, more efficacious, more expeditious, and more safe, than has ever been discovered for any other known disease.

This was long overlooked; not because there had not been proofs of its virtue for more than two hundred years, but probably because it was not an exquisite product of human art, but a simple production of nature, namely, the juice of lemons or limes, or other forms of the citric acid.

Since this has been understood, and acted upon in a great scale, the sea scurvy has been extirpated from the navy; in so much, that in virtue of this, and some minor means of improving health, two ships of war are admitted, by the best judges of the naval service, to be capable of more efficient service than three in former times, by enabling ships to keep the sea for an indefinite length of time; and more than the same proportion of expense is saved to the country, on account of the savings in the recruiting and hospital establishments, not to mention the diminution of human suffering and mortality.

I understand the objection made to my recommendation of the lemon juice in this emergency, has been the bowel complaints, which have been on this, as on other occasions, so prevalent a symptom of this malady. I affirm, on my own experience; I appeal to the experience of all those who have actually seen and practised in this disease, whether this symptom has been found any obstacle to the free use of lemon juice, qualified by such correctives as are well known to experienced practitioners. The *ripe* oranges prescribed in lieu of this, possess none of the specific virtues of the citric acid, but only those of other fresh vegetable matter.

Now, I have not only verbally, when I did confer with the two physicians, but also by letter of date 12th of March, urged without effect the employment of this remedy to its fullest extent.

It is no fault of these gentlemen that they are younger and less experienced than I am; it is no fault of theirs, that they were not obliged, by their public duties, to study and treat this disease, as I have been; and in order to justify the animadversions made above, which at first sight may appear too severe, I am here again called upon for explanation and apology; for it is so invidious, and so unusual in regular practice, for a professional man to object thus freely to the practice of others, that it can be justified by nothing short of the most extreme necessity;—to this cruel necessity have I been driven by you.

I have at this moment my *all*, that is, my character, more dear than life to every gentleman,

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gentleman, put in jeopardy by your public insults, and have *no other* means of defence, but those I have been compelled to resort to. If in points which touch the most sensitive springs of nature, I may by any excess of feeling have been betrayed into any unbecoming expression, I crave the considerate indulgence usually allowed to those who are smarting under oppression, and the still more intolerable and irritating pangs of contumelious and contemptuous treatment, which have unhinged stronger minds than mine. It is one of the infirmities incident to our nature, and from which I confess myself not exempt, that even the consciousness of innocence cannot prevent the mind from sinking under the weight of unrefuted calumny, and the privation of that respect of our fellow-men, without which life itself becomes an insupportable burden. I put it to yourselves, or to whomsoever else may do me the honour of perusing this letter, whether, if any one possessing the principles and feelings of a gentleman, will place himself in the situation in which I have been for the last twelve months, exposed not only to the slights, the detractions, the fabricated imputations on my character, but the numberless and nameless thwartings, misconstructions, and secret intrigues with which I have been harassed and insulted (and which are well known to you, gentlemen, but which this is not the place to detail), whether, I say, your feelings would be less acute than those I have just described?

I shall conclude what I have to say on this subject, by answering your allegations with regard to my temper, challenging you to the proof.

If you can find any human creature, out of the walls of the Penitentiary (where I was goaded beyond human endurance,) of the great number with whom I have been connected, either in business or social intercourse, who will bear evidence to the prejudice of my temper, I will not persist in contradicting you on this point of fact. There is a saying, that a worm will turn on the foot that treads upon it. Could these gentlemen, were they not acting under influence, lay their hands on their hearts, and say, that they have on this occasion *done as they would be done by*?

But as a matter of substantial religion and morality, I appeal to all the good and the wise;—to the calm reconsideration of the reverend members of the Committee;—to that of your member, also a member of a court of *equity*, who takes a lead among you;—to all those, in fine, to whom the merits of my case are known, whether I could have said or done less, as a matter indispensably enjoined by the overpowering dictates of duty and conscience towards the public, leaving out of the question my own wrongs, which I am ready to forgive?

After all, I do not accuse you of criminal intention; I believe it was far from your intention to commit acts detrimental to the public service. On the contrary, you have consumed much time and labour in gratuitously doing your best.

What I distinctly charge upon you, the Managing Committee of the Penitentiary at Milbank (or rather your two leading members) is, that in the exercise of a wrong judgment, you have, from hasty inadvertency, taken upon you, to the detriment of the public service, to decide upon matters not within your competency; to tolerate a system of *espionage*; and that you have been guilty of unmerited and unfeeling insult and injury towards myself personally, without this being in any way conducive to the public benefit.

The public will naturally inquire, and expect to be informed, from what motive or provocation this conduct of your's could proceed; and will be disposed, *prima facie*, to impute it to some error in my conduct. I am conscious of none, unless indeed it was an error to have differed in opinion from you regarding the diet, or to have preferred being the victim, rather than the associate, of those who were engaged in that system of secret intrigue and cabal among the officers, which in my heart I abhorred, as subversive of all liberal intercourse and every useful result, in the conduct of this or any other human affair, particularly when men of education or established character are the objects of it. And, with regard to the ill-will of the other officers, I can no otherwise account for it, but by supposing that some rebukes, indispensable in the exercise of my duty, which it was always my study to express with as little offence as possible, might, nevertheless, not have been in every instance palatable. For at a particular period last year, there was an organized plot to take away my character by an imputation of ebriety, proved to be unfounded, to the satisfaction of the Committee.

It has been reported, that one of your members vehemently accused me of having made an ungrateful return to the polite treatment I had met with. This no doubt alludes to certain letters and notes addressed to me, in June last, and on occasion of the appointment of the new physicians. That these letters and notes were couched in

in the most civil and friendly terms, I am ready to admit. But what am I to think of them, when I reflect, that they were in their tendency utterly at variance with the *bland* words in which they were expressed ; for had I been decoyed into an assent to the proposal made to me in June, regarding the plot against my character, I should for ever have been degraded and ruined.

And in the latter instance, the empty words of politeness were in direct opposition to the contumelious treatment which followed. And how can I consider either of them, but as examples of that affected candour and kindness, that *atræ loliginis succus* of the poet, which in all ages has been used as the specious mask of lurking enmity.

Before concluding, I must make a short digression upon another point. Some of my friends have expressed their surprize, that under such ill-treatment, I should not have long ago resigned my situation ; for that this left room to suspect, that for sordid ends I was compromising both my honour and my peace.

Why, they might say to me, should you frequent a place, where you were continually treading on *covert and insidious embers*, where you were surrounded on all sides with traps and pitfalls?

In answer to this, I have to say, that the first half of my attendance, that is, three years and a half, was gratuitous. Like many other attendants at public institutions, I valued most the experience to be acquired there ; and I have been amply repaid, by the addition I have made to my medical and chirurgical knowledge.

I may also remark, in passing, that when the option was given me, whether I would accept of two or three hundred pounds per annum, merely as a compensation for my loss of time from my growing private practice, I named the smaller sum.

I felt also an interest, which grew into attachment, to this infant establishment ; and it is well known to all my friends, that I have ever enthusiastically followed my profession as a favourite pursuit, independent of its emolument. But I had further reasons for not taking this step. Had I done so, soon after my persecutions began, and before I had discomfited the plot laid against my character, it would have been imputed to guilt ; and had I done so on a late occasion, when you put it in my power, in order to avoid the disgrace, as you thought, of dismissal, my conduct would have been subject to the like construction ; I therefore begged you to do it on your own responsibility.

A friend also lately remarked to me, that on that diet being adopted, to which I had objected, this ought to have produced my resignation. The obvious answer to this is, that this diet was that of the prisoners in health, with whom I had no professional relations, except the monthly inspection. Had I been controlled or dictated to, with regard to the sick prisoners, I should assuredly have resigned.

It would savour of presumption, were I to pretend to measure myself with either of you, by a comparison of what we have respectively done for the benefit of our fellow-creatures ; but it is an ordeal from which I should not shrink.

I am willing to admit the superiority which some of you possess over me by your rank in life ; but there is one sort of superiority which my own feelings, and I hope the sympathies of mankind, will not allow me to forego, nor concede to any of you ;—I mean that proud superiority which those who endure wrong possess over those who commit it.

Gentlemen, I now bid you a final farewell, sincerely hoping, trusting and believing, that the business you have undertaken will, from past experience, prove more successful in future, whether in your own or other hands ; and that here, as in all other human affairs, under the superintendence of a wise and good Providence, we shall all have the satisfaction and consolation of reflecting, that good may have arisen out of evil. And I pray God, that this exposure may be productive of all the salutary effects which I sanguinely anticipate.

I have the honour to be, Gentlemen,

Your very obedient and very humble servant,

The Honourable (signed) A. Copland Hutchison.

The Commissioners of the General Penitentiary,
Milbank.

P. S.—When I was concluding this letter, my attention was drawn to an imputation, said in the public papers to have been made by one of you, in strong terms, charging me with want of attention in the performance of my duty. If by this

APPENDIX
(A.)

charge it be meant, that my professional visits to the sick in the infirmaries were less frequent than circumstances required, I boldly deny the fact; and you, gentlemen, know, that although my instructions directed me, under ordinary circumstances, to visit the sick but twice in the week, my general practice was to visit them three and four times within the same period; and, in cases of danger or difficulty, my visits have been daily, frequently twice in the day, nay, I have even visited a convict *three* times on the same day.

If the accusation be meant to apply to my not having earlier sounded the alarm, as to the appearance of scurvy among the prisoners in the infirmaries, and to my not going immediately into the prison and examining the whole of the convicts, to ascertain the extent to which the disease had attained then; my obvious answer to this is, that there were but four or five slight cases in all on the 8th of February, the day on which I gave the Committee the first notice of the appearance of scurvy, and this was only a week after I had inspected the whole of the convicts in the prison, when I found them, to appearance, in their usual health, with the exception of a few who continued to complain of slight colds and coughs, the remains of the indisposition which had prevailed early, and during the preceding month of January. The numbers were, at this time also, lessening in the infirmaries, and therefore, there was every appearance of a return to the usual state of health. The few cases of scurvy in the infirmaries were rapidly improving under the treatment I had adopted, and matters were in this state in the middle of February, when Sir James McGrigor visited the institution, as before noticed.

A bowel affection now began to show itself, and prevail among a few individuals, having in one or two instances the character of dysentery, and which, from the 14th, began to be a little alarming; but in these few cases there were no appearances of scurvy, and therefore no connection was supposed to exist at this time between the two diseases; and it is somewhat singular, that all the first cases of scurvy reported by me recovered, excepting one young woman, who was seized with the *ecchymosed* blotches while labouring under the last stage of consumption, of which latter disease she died on the 21st of February. On the 24th I hazarded an opinion to the Committee, that there might be a connection between the bowel affection and the scurvy of the legs, which my familiarity with the disease in former years at sea, enabled me to detect much sooner, probably, than would have been the case with medical men who had not had the like experience, and I accordingly acted upon it, and the *post mortem* examinations, which were permitted after the two physicians were called in, completely verified my suspicions.

Five days after the last-mentioned date, my monthly inspection was again to have been made, when, most assuredly, I should have examined the legs, &c. of every convict in the prison, with a view of ascertaining, to my own satisfaction, if the disease had spread; no symptoms of such a thing, however, had ever been *reported* to me by either the *matron* or *surgeon*, nor had I any reason to suspect it, from the appearance of the prisoners at my last inspection; besides, I appeal to the printed instructions to the officers, whether, between my monthly inspections, it was not the resident surgeon of the institution who had charge of the state of the health of the prison, unless indeed my attention was called or directed by him or any other officer, or by the Visitor, to that particular duty (which I deny to have been the case,) my more immediate duties during those intervals being, as I conceived, chiefly confined to the infirmaries. Did these officers, or any of the Committee, who were officially apprized by me of the real nature of the disease, and repeatedly addressed on the subject up to the very day on which the two physicians were called in, ever communicate with me on the propriety of such a measure? If they, or any of them, will assert this, then I will admit that I have been guilty of a dereliction of duty. But this cannot be asserted with truth; it is therefore expected, that such an unfounded imputation against my character will be withdrawn. I may just add, that the greater number of my evening visits were entirely supererogatory.

(signed) A. C. H.

(B.)

II. Further Papers delivered in to the Committee,

VIZ.

WEEKLY RETURNS to the Committee at the Penitentiary, from the Governor, Matron, Deputy Matron, and Master Manufacturer, for the week ending on the 4th January 1823; showing, The number of Prisoners on that day, and the Work done during the preceding week:—N^o 1. 2. 3. & 4.

RETURNS from—the Cold Bath Fields Prison;—Saint Anne's Soho;—St. George Hanover-square;—St. Mary-le-bone; and St. Pancras Work-houses:—N^o 5. 6. 7. 8. 9. 10.

N^o 1.

GENERAL PENITENTIARY - - - MALE PENTAGON.

PENT.	WARD.	PRISONERS in the Ward.		PRISONERS belonging to the Ward, but in the Infirmary.		TOTAL PRISONERS.	CELLS VACANT.		TOTAL CELLS.	REMARKS.
		Class I.	Class II.	Class I.	Class II.		Class I.	Class II.		
I.	B.	14	2	—	—	16	—	—	16	{ * Including 6 cooks, and 2 inf ^y wardsmen.
	D.	31	2	—	—	33	—	—	33	
	E.	30	2	—	—	32	1	—	33	
	F.	—	17	—	5*	22	—	9	31	
	G.	—	27	—	1	28	—	3	31	
Total - -		75	50	—	6	131	1	12	144	
II.	B.	11	3	1	—	15	1	—	16	
	D.	27	4	1	1	33	—	—	33	
	E.	—	1	—	—	1	32	—	33	
	F.	—	—	—	—	—	—	31	31	
	G.	—	—	—	—	—	—	31	31	
Total - -		38	8	2	1	49	33	62	144	
V.	B.	13	2	1	—	16	—	—	16	{ * Including 2 infir- mary wardsmen.
	D.	30	2	1	—	33	—	—	33	
	E.	31	2	—	—	33	—	—	33	
	F.	—	17	—	2*	19	—	21	40	
	G.	—	28	—	1	29	—	11	40	
Total - -		74	51	2	3	130	—	32	162	
VI.	B.	15	1	—	—	16	—	—	16	† Including 6 cooks.
	D.	29	2	—	—	31	2	—	33	
	E.	27	2	1	—	30	3	—	33	
	F.	—	30	—	3	33	—	7	40	
	G.	—	29	—	3	32	—	8	40	
Total - -		71	64	1	6	142	5	15	162	
Total in Pent.										
I. - -		75	50	—	6	131	1	12	144	
II. - -		38	8	2	1	49	33	62	144	
V. - -		74	51	2	3	130	—	32	162	
VI. - -		71	64	1	6	142	5	15	162	
Grand TOTAL.		258	173	5	16	452	39	121	612	

4th January 1823.

J. Couch, Governor.

APPENDIX
(B.)

N° 2.

GENERAL PENITENTIARY - - - FEMALE PENTAGON.

PENT.	WARD.	PRISONERS in the Ward.		PRISONERS belonging to the Ward, but in the Infirmary.		TOTAL PRISONERS	CELLS VACANT.		TOTAL CELLS.
		Class I.	Class II.	Class I.	Class II.		Class I.	Class II.	
III.	B.	15	1	2	—	18	13	—	31
	D.	19	1	3	—	23	10	—	33
	E.	25	1	2	—	28	5	—	33
	F.	—	24	—	5	29	—	5	43
	G.	—	32	—	6	38	—	8	42
	H.	—	22	—	9	31	—	—	31
Total - -		59	81	7	20	167	28	13	213
IV.	B.	18	1	6	—	25	6	—	31
	D.	9	1	7	—	17	16	—	33
	E.	13	1	—	—	14	19	—	33
	F.	—	21	—	8	29	—	2	31
	G.	—	28	—	9	37	—	4	41
	H.	—	31	—	6	37	—	13	44
Total - -		40	83	13	23	159	41	19	213
Total in Pent.									
III. - -		59	81	7	20	167	28	13	213
IV. - -		40	83	13	23	159	41	19	213
Grand TOTAL		99	164	20	43	326	69	32	426

4th January 1823.

E. Wilkinson, Matron.

N° 3.

GENERAL PENITENTIARY.

Deputy Matron's Report for the Week ending 4th January 1823.

Number of PRISONERS employed.	Description of WORK done, during the week.	Quantity of WORK done, during the week.	Quantity of WORK on hand.	Description of WORK Expected.	General Disposition of PRISONERS, Industrious or otherwise.
Pent. III. A. 25 B. 16 C. 28 D. 20 E. 24 — 113	For the Military Depot; For the establishment of the Penitentiary;	Sheets, 270; Stockings knit, 12 pairs; Tow spun, 9 $\frac{1}{4}$ lbs. 83 shirts;	a sufficient supply for some time.	From the Military Depot; From the establishment; and from private individuals.	The earnings have been small, owing to many of the pri- soners being in the Infirmary.
IV. A. 26 B. 21 C. 28 D. 10 E. 13 — 98	and for private individuals.	18 shifts; 68 night- gowns; 25 caps; 4 petticoats.			
TOTAL - - 211					

Average wages of each Prisoner per the week { Pentagon III. - - - 1s. 5d.
 „ IV. - - - 1s. 3 $\frac{1}{2}$ d.

Female Department; }
7th January 1823. }

C. Bryant, Deputy Matron.

APPENDIX
(B.)

N^o 4.—GENERAL PENITENTIARY :—Return of Male Prisoners employed from 30th December to 4th January 1823.

No of the Penitents.	EMPLOYED IN MANUFACTURE.												TOTAL.	EARNED. £. s. d.	EMPLOYED, Not in Manufacture.					UNEMPLOYED.	TOTAL.	GRAND TOTAL.	REMARKS.	AVERAGE to each Prisoner. £. s. d.	
	Tailors.	Cutters.	Inspectors.	Instructors.	Weavers.	Winders.	Learning to wind.	Sizers.	Patchwork.	Carpenters.	Turners.	Hammock makers.			Shoemakers.	Wardmen.	In the Kitchen.	Sick in Infirmary.	Confined.						Bakers.
I. - -	98	2	1	4	9	1	-	-	-	-	-	-	-	7	5	4	-	-	-	16	131	The Average applies to those employed in Manufacture only.	-	£. s. d. - 1 3½	
II. - -	-	-	-	1	29	11	-	3	-	-	-	-	-	2	-	3	-	-	-	5	49		-	-	£. s. d. - 1 3½
V. - -	87	4	-	1	16	6	-	-	-	-	-	-	-	7	-	-	-	5	-	16	130		-	-	£. s. d. - 1 7½
VI. - -	70	3	-	-	-	-	-	-	8	3	2	-	37	6	6	7	-	-	-	19	142		-	-	£. s. d. - 2 3½
Total -	255	9	1	6	54	18	-	3	8	3	2	-	37	396	33 13 10½	22	11	18	5	56	452				

Work on hand for three weeks.—Materials for Army Clothing expected from the dépôt.

J. White, Master Manufacturer.

APPENDIX
(B.)

N° 5.

COLD BATH FIELDS PRISON.

(1.)—A RETURN of the Number of Persons confined in the House of Correction, Cold Bath Fields, in the County of Middlesex, who have been afflicted with Scurvy; from the 1st of January 1820 to the 4th of May 1823, inclusive.

	N°		N°
1820: June - - -	1 - - - Female.	1822: January - -	3 - - 1 Female included.
July - - -	1 - - - Male.	February - -	3
Total - -	2	March - -	1
		April - -	3 - - 2 Females included.
1821: April - - -	3	May - -	2
May - - -	3	June - -	3
June - - -	2	July - -	3
July - - -	3	August - -	2
September - -	4	September - -	1
October - -	1	November - -	4
November - -	2	December - -	3
December - -	3	Total - -	28 - - { 3 Females. 25 Males.
Total - -	21 - - - Males.	1823: January - -	4
		February - -	2
		March - -	12
		April - -	8
		Total - -	26 - - Males. *

* Being an increase of Sixteen cases of Scurvy, compared with the corresponding months, in the year 1822.

(2.)--A RETURN of the Number of Persons confined in the House of Correction, Cold Bath Fields, in the County of Middlesex, who have been afflicted with Bowel Complaint; from the 1st January 1820 to the 4th May 1823, inclusive.

	1820.		1821.		1822.		1823.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
January - -	10	4	6	3	14	-	17	2
February - -	8	1	9	2	11	-	41	3
March - - -	14	1	10	1	18	-	30	-
April - - -	1	2	7	4	11	2	16	1
May - - -	9	1	9	2	15	1	4	1
June - - -	-	-	6	-	34	5	-	-
July - - -	7	2	5	-	33	-	-	-
August - - -	9	2	11	1	22	4	-	-
September - -	12	1	8	2	8	3	-	-
October - -	5	3	8	-	8	3	-	-
November - -	6	3	11	-	11	-	-	-
December - -	2	1	8	1	7	-	-	-
Total - -	83	21	98	16	192	18	108 *	7 *

* Being an increase of 43 cases of Bowel complaint, compared with the corresponding months in 1822; an increase of 62 cases of Bowel complaint, compared with the corresponding months in 1821; and an increase of 64 cases, compared with the corresponding months in 1820.

(3.)—A RETURN of the Number of Prisoners committed to the House of Correction, in Cold Bath Fields, during the Years as under; distinguishing the Males from the Females.

	Males.	Females.	TOTAL.
1820 - - -	2,683	639	3,322
1821 - - -	2,620	759	3,379
1822 - - -	3,131	1,267	4,398
1823 - - } to 3d June }	1,141	547	1,688

N° 6.
SAINT ANNE, WESTMINSTER.

(1.)—DIET TABLE.

SUNDAY	- - - -	7 oz. of boiled beef or mutton with vegetables, 1 pint of broth, 13 oz. of bread, and 2 pints of beer.
MONDAY	- - - -	1 pint of milk pottage, 3 oz. of butter, 3 oz. cheese, 13 oz. of bread and 2 pints of beer.
TUESDAY	- - - -	7 oz. boiled beef or mutton with vegetables, 1 pint of broth, 13 oz. of bread, and 2 pints of beer.
WEDNESDAY	- - - -	1 pint of pease soup, 13 oz. of bread, and two pints of beer.
THURSDAY	- - - -	7 oz. of boiled beef or mutton with vegetables, 1 pint of broth, 13 oz. of bread, and two pints of beer,
FRIDAY	- - - -	3 oz. of butter, 3 oz. of cheese, 1 pint of rice milk, 13 oz. of bread, and 2 pints of beer.
SATURDAY	- - - -	1 pint milk pottage, 12 oz. suet pudding, 13 oz. of bread, and 2 pints of beer.

The nurses are allowed 1 oz. of tea, 4 oz. of sugar each, per week; 1 oz. of tea, 4 oz. of sugar for each sick person per week, with the sick diet by order of the doctor.
N. B. The broth is made from the liquor in which the meat (upwards of 100 lbs.) is boiled, by adding oatmeal, herbs, seasoning, &c.

The pease soup is made with two shins of beef, weighing 20 lbs. and 1½ peck of pease and a proper quantity of seasoning to 5 gallons of water.
At Whitsun-day, Christmas-day, and Easter-day, the dinners are roast beef and plum pudding; and the paupers are allowed one dinner of mackarel, pork, beans and peas when in season.
N. B. The house is only calculated to hold about 210 persons,

(2.)—DEATHS IN THE WORKHOUSE.

1821:									
January	-	-	-	-	-	-	-	-	4
February	-	-	-	-	-	-	-	-	3
March	-	-	-	-	-	-	-	-	4
April	-	-	-	-	-	-	-	-	3
May	-	-	-	-	-	-	-	-	1
June	-	-	-	-	-	-	-	-	1
July	-	-	-	-	-	-	-	-	1
August	-	-	-	-	-	-	-	-	2
September	-	-	-	-	-	-	-	-	5
October	-	-	-	-	-	-	-	-	7
November	-	-	-	-	-	-	-	-	4
December	-	-	-	-	-	-	-	-	8
Total									43
1822:									
January	-	-	-	-	-	-	-	-	4
February	-	-	-	-	-	-	-	-	4
March	-	-	-	-	-	-	-	-	2
April	-	-	-	-	-	-	-	-	4
May	-	-	-	-	-	-	-	-	1
June	-	-	-	-	-	-	-	-	1
July	-	-	-	-	-	-	-	-	2
August	-	-	-	-	-	-	-	-	3
September	-	-	-	-	-	-	-	-	2
November	-	-	-	-	-	-	-	-	4
December	-	-	-	-	-	-	-	-	8
Total									35
1823:									
January	-	-	-	-	-	-	-	-	3
February	-	-	-	-	-	-	-	-	7
March	-	-	-	-	-	-	-	-	7
April	-	-	-	-	-	-	-	-	2
May	-	-	-	-	-	-	-	-	5
Total									24

APPENDIX
(B.)

N° 7.

SAINT JAMES, WESTMINSTER.

(1.)

Parish Saint James, Westminster, }
March 26th, 1807. } At a Vestry - - Present,—

Rev. Gerrard Andrews, Rector.
Robert Johnson Esq.
John Mayhew, Esq.
Christopher Spencer, Esq.
Edward Jenden, Esq.
Mr. George Lamb, Churchwarden.

RESOLVED, The following Table to be put in force directly :

	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - -	13 oz. bread. $\frac{1}{2}$ oz. butter.	6 oz. meat. 10 oz. vegetables. 1 pint small beer.	1 pint broth.
MONDAY - - -	13 oz. bread. 1 pint water gruel.	8 oz. rice pudding. 1 pint beer.	1 oz. cheese.
TUESDAY - - -	13 oz. bread. 1 pint water gruel.	6 oz. meat. 10 oz. vegetables. 1 pint beer.	1 pint broth.
WEDNESDAY - -	13 oz. bread. $\frac{1}{2}$ oz. butter.	8 oz. suet pudding. 1 pint beer.	1 oz. cheese.
THURSDAY - - -	13 oz. bread. 1 pint water gruel.	6 oz. meat. 10 oz. vegetables. 1 pint beer.	1 pint broth.
FRIDAY - - -	13 oz. bread. $\frac{1}{2}$ oz. butter.	1 pint pease soup. 1 pint beer.	1 oz. cheese.
SATURDAY - - -	13 oz. bread. 1 pint water gruel.	6 oz. meat. 10 oz. vegetables. 1 pint beer.	1 pint broth.

The Sick Poor are provided with one pint of mutton on the respective four days per week, the residue of which is put in for the well patients supper, with Scotch barley or rice, vegetables, and pieces or crumbs produced from cutting the bread.

The pease soup is made from legs and shins of beef, three, four or five sets, not weighing less than 56 lbs. with two bushels of split pease, celery, &c. The number of legs and shins entirely depend on the persons to provide for.

(2).—The Number of DEATHS in the Workhouse.

	Men.	Women.	Children.	Boys.	Girls.	Infants.
From the 1st January to } 30th December } - - 1820 - -	68	63	39	- -	- -	—
January - - - - - 1820 - -	9	6	- -	- -	- -	5
February - - - - - 1820 - -	11	3	- -	1	1	—
From the 2d January to } 31st December } - - 1821 - -	49	70	- -	1	3	29
January - - - - - 1821 - -	5	8	- -	- -	- -	1
February - - - - - 1821 - -	9	8	- -	- -	1	3
From the 1st January to } 31st December } - - 1822 - -	46	61	- -	3	2	19
January - - - - - 1822 - -	2	7	- -	1	- -	1
February - - - - - 1822 - -	4	3	- -	- -	- -	1
January - - - - - 1823 - -	10	9	- -	- -	- -	4
February - - - - - 1823 - -	6	10	- -	- -	- -	5
Total Deaths in 1820 - - - 170	Total Deaths in January and February 1820 - - - 36					
1821 - - - 152	1821 - - - 35					
1822 - - - 131	1822 - - - 18					
	1823 - - - 44					

N^o 8.

SAINT GEORGE, HANOVER SQUARE.

(1.)—A Statement of the DIETARY in use in the Parish of St. George, Hanover Square.

28 lbs. of oatmeal used every morning for the gruel.	BREAKFAST.		DINNER.							SUPPER.			
	Bread, Seconds.	Gruel.	Bread, Seconds.	Beef or Mutton.	Vegetables according to the Season.	Small Beer.	Pease Soup.	Suet Dumplings.	Bread, Seconds.	Cheese.	Small Beer.	Broth.	
	oz.	pints.	oz.	oz.		pints.	pints.	oz.	oz.	oz.	pints.	pints.	
SUNDAY - - -	4	1 $\frac{1}{2}$	4	5	some	1	—	—	4	—	—	1 $\frac{1}{2}$	
MONDAY - - -	4	1 $\frac{1}{2}$	4	—	—	1	1 $\frac{1}{2}$	—	4	2	1	—	
TUESDAY - - -	4	1 $\frac{1}{2}$	4	5	some	1	—	—	4	—	1	1 $\frac{1}{2}$	
WEDNESDAY - -	4	1 $\frac{1}{2}$	4	—	—	1	1 $\frac{1}{2}$	—	4	2	1	—	
THURSDAY - -	4	1 $\frac{1}{2}$	4	5	some	1	—	—	4	—	—	1 $\frac{1}{2}$	
FRIDAY - - -	4	1 $\frac{1}{2}$	—	—	—	1	—	14	4	2	1	—	
SATURDAY - - -	4	1 $\frac{1}{2}$	4	—	—	1	1 $\frac{1}{2}$	—	4	2	1	—	

Children, 3 oz. of meat on meat-days, and milk porridge for breakfast; lying-in women, mutton and broth every day, 1 lb. of white bread, and a pint of porter daily, for three weeks.
The sick dieted by the medical gentlemen:
The broth made from the liquor the beef and mutton is boiled in, with the addition of herbs only.
Taking the average of three days meat is about 232 lbs. boiled each day, which makes broth for 442 persons, being 663 pints.
The pease soup is made from legs and shins of beef, of 50 lbs. per set by contract; and 210 lbs. is allowed to make soup for 442 persons, being 663 pints; three pecks and a half of pease are added.
N.B. Though there may chance to be 10 or 20 more persons, no greater quantity of meat or pease is used on that occasion.

(2.)—A RETURN of the highest and lowest Number of Persons residing in the Workhouse, Mount-street, in the Parish of St. George, Hanover Square, for each three Months, from the 1st of January 1820, to the 1st of April 1823. Also the total Number of Deaths each Year during the same Period, up to the 4th of June 1823; and the Number of Deaths, in the Months of Jannary and February only, for those Years.

1820:	Highest.	Lowest.	Deaths.	1820:	Deaths.	Total.
From 1st Jan. to 1st April	622	569	158	January - - - - -	20	38
From 1st April to 1st July	557	423		February - - - - -	18	
From 1st July to 1st Oct. -	456	426				
From 1st Oct. to 1st Jan. -	563	462				
1821:				1821:		
From 1st Jan. to 1st April	586	547	131	January - - - - -	25	31
From 1st April to 1st July	549	433		February - - - - -	6	
From 1st July to 1st Oct. -	446	413				
From 1st Oct. to 1st Jan. -	494	428				
1822:				1822:		
From 1st Jan. to 1st April -	527	485	147	January - - - - -	14	19
From 1st April to 1st July	483	402		February - - - - -	5	
From 1st July to 1st Oct. -	407	374				
From 1st Oct. to 1st Jan. -	462	392				
1823:				1823:		
From 1st Jan. to 1st April -	496	456	96	January - - - - -	34	47
From the 1st Jan. to 4th June	- - -	- - -		February - - - - -	13	

APPENDIX
(B.)N° 9.
SAINT MARY-LE-BONE.

(1.)—DIET TABLE.

FIRST CLASS - - - - - Aged and Infirm.			
DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - -	Rice Milk.	3 oz. bread. 6 oz. beef and vegetables. Pint of beer.	3 oz. bread. Broth.
MONDAY - - - -	d°.	3 oz. bread. Pease soup.	3 oz. bread. 2 oz. cheese, or 1 oz. butter. Pint of beer.
TUESDAY - - - -	d°.	3 oz. bread. 6 oz. beef and vegetables. Pint of beer.	3 oz. bread. Broth.
WEDNESDAY - - - -	d°.	3 oz. bread. Pease soup.	3 oz. bread. 2 oz. cheese, or 1 oz. butter. Pint of beer.
THURSDAY - - - -	d°.	3 oz. bread. 6 oz. beef and vegetables. Pint of beer.	3 oz. bread. Broth.
FRIDAY - - - - -	d°.	3 oz. bread. Pease soup.	3 oz. bread. 2 oz. cheese, or 1 oz. butter.
SATURDAY - - - -	d°.	3 oz. bread. 2 oz. cheese. Pint of beer	D°.
SECOND CLASS - - - - - Persons able to work.			
DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - -	Rice Milk.	4 oz. bread. 6 oz. beef and vegetables.	4 oz. bread. Broth.
MONDAY - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
TUESDAY - - - -	d°.	4 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
WEDNESDAY - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
THURSDAY - - - -	d°.	4 oz. bread. 6 oz. beef and vegetables.	4 oz. bread. Broth.
FRIDAY - - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
SATURDAY - - - -	d°.	4 oz. bread. 2 oz. cheese.	4 oz. bread. 2 oz. cheese.
THIRD CLASS - - - - - Persons able to work but disobedient.			
DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - -	Rice Milk.	4 oz. bread. 6 oz. beef and vegetables.	4 oz. bread. Broth.
MONDAY - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
TUESDAY - - - -	d°.	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
WEDNESDAY - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
THURSDAY - - - -	d°.	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
FRIDAY - - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
SATURDAY - - - -	d°.	4 oz. bread. 2 oz. cheese.	D°.

ST. MARY-LE-BONE DIET TABLE.— *continued.*APPENDIX
(B.)

FOURTH CLASS - - - - - Persons able to work, but vicious and bad.

DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - -	Rice Milk	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
MONDAY - - - -	d°	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
TUESDAY - - - -	d°	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
WEDNESDAY - - -	d°	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
THURSDAY - - -	d°	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
FRIDAY - - - -	d°	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
SATURDAY - - -	d°	4 oz. bread. 2 oz. cheese.	D°.

PEASE SOUP.

On an average :

3½ pecks peas.

Leeks or onions in proportion.

75lbs. legs and shins of beef.

From 90 to 100 gallons of water in proportion to number of persons.

BROTH.

On an average :

52 stone beef	} from meat dressed on meat days.
14 stone mutton	

From 90 to 100 gallons of water in proportion to number of persons.

(2).—ST. MARY-LE-BONE. - - - DEATHS, &c.

YEARS.	MONTH.	Greatest Number in the House.	Number of Deaths.	
- - - 1820. - - -	January - - -	1,076	37	Total 65
	February - -	1,037	28	
- - - 1821. - - -	January - - -	1,063	34	Total 50
	February - -	1,074	16	
- - - 1822. - - -	January - - -	899	33	Total 52
	February - -	870	19	
- - - 1823. - - -	January - - -	1,005	51	Total 95
	February - -	971	44	

APPENDIX
(B.)

N° 10.

ST. PANCRAS WORKHOUSE.

TABLE OF DIET.

DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - -	5 oz. of bread 1 $\frac{1}{2}$ pint of milk porridge	8 oz. boiled mutton, one Sunday, 8 oz. buttock beef next, 8 oz. vegetables, 4 oz. bread, 1 pint beer, men, $\frac{1}{2}$ d° - women.	5 oz. bread, 2 oz. cheese, 1 pint beer, men, $\frac{1}{2}$ pint, women, & 4 oz. each of butter & sugar per week, in lieu of cheese.
MONDAY - - - -	Same.	1 $\frac{1}{2}$ pint barley broth, Bread and beer, same as Sunday.	Same.
TUESDAY - - - -	Same.	8 oz. boiled beef, 8 oz. vegetables; Bread and beer same.	Same.
WEDNESDAY - - -	Same.	Same as Monday.	Same.
THURSDAY - - - -	Same.	Same as Tuesday.	Same.
FRIDAY - - - - -	Same.	Same as Wednesday.	Same.
SATURDAY - - - -	Same.	Pint & half pease soup, Bread and beer, Same as other days.	Same.

Children above two years, have 12 oz. of bread per day, and 4 oz. of meat, on meat days;
 $\frac{1}{2}$ pint of beer per day; and 1 oz. of cheese for supper.

The broth is made with the liquor the meat is boiled in the preceding day, allowing 1 lb.
of Scotch barley to two gallons, with a good portion of onions or leeks, pepper and salt.

The pease soup is made of ox heads, allowing 35lbs. weight and 5 quarts of pease to ten
gallons, with onions or leeks, celery, &c.

Bread the best wheaten, contracted for at a discount from the general top price.

AVERAGE NUMBER IN THE HOUSE.

1820	-	-	was	-	-	726
1821	-	-	"	-	-	676
1822	-	-	"	-	-	665

				DEATHS IN			
				1820:	1821:	1822:	1823:
January	-	-	-	15	14	10	17
February	-	-	-	10	15	17	8
March	-	-	-	15	14	20	17
April	-	-	-	14	15	6	18
May	-	-	-	17	6	7	11
June	-	-	-	15	5	7	—
				86	69	67	71
July	-	-	-	5	4	9	
August	-	-	-	7	5	8	
September	-	-	-	8	5	8	
October	-	-	-	15	5	12	
November	-	-	-	8	3	11	
December	-	-	-	18	11	11	
				61	33	59	
				86	69	67	
				147	102	126	

Average number of Scrophulous Cases in the Workhouse - - - - 10

(C.)

FURTHER PAPERS relating to the Penitentiary; as Ordered, by The House of Commons, to be printed, 2 May 1823. (N° 309.)

APPENDIX
(C.)

VIZ.

Copies of LETTERS from Dr. HUTCHISON to the Committee of the General Penitentiary, dated 22d March and 4th October 1822; 10th January, 14th February, 8th, 14th, and 19th April 1823;—of LETTERS, from the same, to the Visitor of that Establishment, dated 24th and 28th February 1823;—of REPORT on *Mary Brenton's* death in January 1823;—and, of Communications made to Dr. HUTCHISON, on the part of the said Committee, of dates 28th February, and 12th and 19th of April 1823.

N° 1.

Sir,

Leicester-square, 22d March 1822.

THE Committee having done me the honour, by your letter of the 18th instant, to request my opinion “upon the present Prison Dietary, and the reduction it is “capable of, with a due regard to the health of the prisoners,”—I beg leave to submit the following Observations, and Scale of Dietary, for their consideration:

From the high degree of health the prisoners have hitherto enjoyed, and the absolute state of plethora, which a great majority of them have shown, after a certain residence within the walls of the Penitentiary, as well as the frequent recurrence of disease arising from that cause; I have no hesitation in stating the quantum of food consumed by them to be greater than sufficient to maintain them in robust health—with all due consideration to the labour they may, by any possibility, be subjected to.

The inquiry, as to what reduction their present dietary will admit of, involves some serious considerations, and can perhaps, only be finally determined by the result of experience.

First,—It must not be so much reduced as to impair the health of the prisoner, or render him unfit on emancipation, to work for his own or his family's subsistence: this would be adding to the burden of the parish to which the unfortunate individual may belong, and inconsistent with that humanity, which tempers the justice of our laws.

Secondly,—In considering this question, we cannot altogether take example from other prisons or houses of correction, as, in the Penitentiary, the convict is condemned to a much longer period of imprisonment; of which being aware, his mind will have a much greater tendency to depression; and, such exhaustion of animal spirits will be likely to terminate in disease. Besides, it is obvious that a man may be very well able to subsist for a few months, a year, or very possibly two years, upon a scanty allowance of food, without any *apparent* diminution of health or strength; but beyond this period, the powers of his constitution may not be able to sustain the trial.

Thirdly,—The majority of prisoners sent to this institution, will, I believe, be found to belong to the metropolis; to have been earlier initiated into crime, and to have been more successful in their nefarious pursuits than those sent from the various county jails throughout the empire; and have, in consequence, lived higher, as to eating and drinking, than the other class; and therefore, will be more subject to disease by any sudden transition from intemperate living, to a very small regulated diet. Again, to prove that a *certain portion* of animal food is necessary for man, we have only to examine the natural conformation of his teeth and stomach.

Considering then all these circumstances, without adverting to others that might be urged, I am disposed to give it as my opinion, that the Dietary for the Penitentiary should stand thus:—

The daily allowance of bread to be precisely what it now is.

Gruel the same, night and morning warm.

One quart of broth to the males as now made (or with ox cheeks;) the same quantity to the females employed in the wash-house and laundry; the other females one pint and a half, during six days in the week.

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(C.)

Eight ounces of meat the same as heretofore, *on Sundays*, with one pound of boiled potatoes, omitting broth on this day altogether, for every description of prisoner.

As I understand that reasonable objections have arisen to the use of four formidable weapons in each kitchen, namely; the carving knives for the division of the meat, and which have hitherto been in the hands of convicts, the above plan will obviate that danger, at least six days in the week; and on the meat day, surely two turnkeys or a like number of the patrol-men (in addition to the turnkey in each kitchen) may be directed to assist in cutting up the meat, so that the knives shall not be intrusted to any but these officers, and directed to be afterwards locked up, or otherwise removed to a place of safety.

Although this be my opinion, after much reflection and some knowledge of the constitutions of convicts during a period of nearly six years, that I have been the principal medical officer of the Penitentiary, yet, I consider this question as very difficult of accurate solution; and would suggest to the Committee, to take the opinions of others in the profession who may have distinguished themselves in science, such as Dr. Wollaston, Sir Gilbert Blane, Dr. Baillie, Sir Everard Home, or Mr. Cline, that the best information may be obtained on this highly important and interesting subject; and if the Committee do think proper to come to such decision, I should recommend that the gentlemen fixed upon be requested, in the first place, to inspect the existing state of health of the whole of the convicts.

I have the honour to be, Sir, your very obedient Servant,

(signed) *A. Copland Hutchison*, M. D.
Medical Superintendent.

R. Auld, Esq. &c. &c.

N° 2.

Gentlemen,

Leicester-square, 4th October 1822.

SINCE my last Quarterly Report of the state of health of the prisoners, generally, I have attentively inspected the whole of them at three different periods, namely, on the 1st of August, September, and October, and, at the same time, their sleeping and working cells.

The number of deaths during the quarter appear to be but four, namely, Elizabeth Mounsey in July, Edward Chubbs, Elizabeth Collis, and Jane Downe, in September, there being none in August.

It may be expected that I should make some remark on the effect of the change of dietary upon the health of the prisoners; but as two months have hardly elapsed since the change took place, and the prisoners *generally* being in their *usual* state of health, I think it will be more correct to leave any specific report upon the subject of the dietary, either until some visible change has taken place in the health of the prisoners, or until a sufficient length of time has elapsed to enable us to form a more correct judgment on this important subject. I may just remark, that on going round on the 1st instant, the people complained much less than on my previous inspection, and the little complaint there was, was entirely confined to the two female pentagons, and male pentagon 6: in the latter pentagon several prisoners of the first class complained to me of pains in their legs and feet, and stated, that they had not more than about *five* minutes walking in the course of twenty-four hours, which I conceive to be too little to preserve them in health.

Every part of the prison appeared to be clean, excepting the female pentagon now being white-washed.

I have the honour to be, Gentlemen, your very obedient humble Servant,

(signed) *A. Copland Hutchison*,

The Honourable
The Committee of General Penitentiary. Medical Superintendent.

N° 3.

December 30th, 1822.

REPORT on the Death of *Mary Brenton*.

Mary Brenton was removed to the infirmary on the 6th of December, complaining of pain in her stomach. Her complaint assumed a serious aspect on the 14th, an attack of fever having taken place. She died on the 20th. Dr. Hutchison saw her from the commencement of her disease; we had no hopes of her recovery from the 14th.

The

The coroner sat on the 21st December; verdict, By the visitation of God; one of the jury observed, he had noticed a protrusion about the lower part of the chest; I went with them and examined the body, and found nothing amiss; they were satisfied.

(signed) *J. Pratt*, Surgeon.

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The Honourable the Committee, &c. &c.

January 2d, 1823.

Mary Brenton was ordered to the infirmary at my monthly inspection of the prisoners, on the 2d ultimo, and was then prescribed for; within a day or two she was returned to the prison, and in about the same period was again admitted into the infirmary; on my next visit I found her seriously ill, labouring under continued fever, which her attendants appeared to be so unconscious of, that I found it necessary to acquaint them with the fact; not that I witnessed any want of attention on their parts, but only an ignorance of the impending danger in her case, and which I noticed, for the purpose of more than common attention being paid to her.

I visited her daily for the last few days of her life, and on one occasion twice in the day.

I have been thus particular in remarking upon *Brenton's* case, because I am the more convinced of the propriety of a rule for the surgeon, suggested by me to the Committee three or four years ago, with respect to the discharge from the infirmary of patients once admitted, namely, "That the surgeon shall not discharge from the infirmary to the prison, any patient, male or female, without the approval of the principal medical officer, unless in cases of emergency, on account of a deficiency of room."

No additional expense, delay, or inconvenience, can possibly be feared from the adoption of this rule, when the Committee are aware that my visits, under ordinary circumstances, are performed once oftener in the week than is required by the instructions.

(signed) *A. Copland Hutchison*,
Principal Medical Superintendent.

Gentlemen,

PERMIT me to intrude on your attention for a few minutes.

You mentioned that Dr. Hutchison, in his Report on the death of *Mary Brenton*, said, she had been removed too soon from the infirmary.

When she came up, either that or the following day, Dr. H. saw her; I then mentioned that she was better, and that it was my intention to remove her; Dr. H. made no objection. She was removed down on the 5th of December, in the course of which morning Dr. H. and myself went round; I called his attention particularly to her; (Mrs. Wilkinson was present); he said, he could see no reason for her complaining, but that I had better give her a preparation of steel, and should she complain again, to remove her to the infirmary, which I did the following day; she continued much the same till the 14th, when an attack of fever took place, and of which she died.

I trust you will excuse my thus troubling you.

I remain, Gentlemen, your most obedient Servant,
(signed) *J. Pratt*.

The Honourable the Committee, &c. &c. &c.

January 4th, 1823.

N° 4.

Gentlemen,

7, Spring-gardens, 10th January 1823.

ON inspecting the prisoners in each of the six pentagons, at the commencement of November, December, and of the present month, I found them apparently in their usual degree of health, and their apartments clean.

I observed, however, that the passages, during my last inspection, throughout the male pentagons, were hardly of a sufficient heat, although the weather was temperate for the season of the year. Early in the last frost I had made inquiry into the state of the prisoners as to this particular, and found that complaints were made in division B. of pentagon 6, which I then visited, and found the thermometer hanging in the passage, standing at only 46°; which I considered too low to preserve health, and accordingly addressed a letter to the governor on the subject, with the view of having the defect remedied.

Z z

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The patients in the male infirmaries have not increased during the last quarter, taking into consideration the increased number of convicts; neither have they in the female, until after Christmas; since which period, they have multiplied in a ratio far beyond any precedent; there being about 60 infirmary cases, which is more than there is actual accommodation for; but, happily, one only of this number is seriously ill, their diseases being chiefly of a trifling nature, namely, pulmonic affections or common catarrhs; several complaints of the stomach, real, imaginary, or affected; rheumatism, and a very few cases of slight fever not attributable to any particular cause.

It may, perhaps, be proper that I should here state, that, in my last inspection on the 6th and 7th instant, I have had more complaints, principally in the female pentagons, concerning the dietary, than during any former inspection since the change: but, in candour, I must say, that I am perfectly unconscious of any injurious results to the health of the prisoners, arising from that cause: if I were to except a few more cases of diarrhoea, but of this I am not, as yet, quite certain, for the prisoners who complain of their stomach and bowels, have *knowledge* enough to make them aware that the present form of dietary is more likely to affect their constitutions through these organs, than in any other manner; and as a proof of this fact, we have on strict examination found two or three individuals reported, as suffering under diarrhoea, that on their evacuations being examined, had passed good figured motions.

The number of deaths during the past year amounts to *twenty-two*, namely, 12 females and 10 males. The leading diseases of which they died, were visceral, and a few cases of continued fever.

It may be satisfactory to the public to know, that, notwithstanding the newspaper remarks in the month of May last, the health of the prison is hardly inferior to that of any community of persons in the kingdom, more especially when the previous habits of the individuals now under review, are taken into consideration. The health of the prisoners during the last year, calculating this from the number of deaths, according to the convict population, may notwithstanding, be considered as a fraction less than in the preceding year; but if I were asked, on my oath, whether I considered this circumstance as likely to have arisen from the change of dietary, my answer should be in the negative; and if I were likewise asked, whether I believed that a sufficient period had elapsed to give the present system of dietary a fair trial on the health of the prisoners, my reply should be, that I do not consider a sufficient time to have elapsed to answer this question decidedly; nor do I think a shorter period than two years, from the commencement of the present system, to be long enough to come to a decision on this important subject; unless, indeed, some very unexpected indisposition were to arise among the prisoners in the mean while, of which I should give due notice to the Committee, or the Visitor for the time being.

Anxious to offer to the Committee a comparative statement of the health, on board the Hulks and in the Penitentiary, I solicited of Mr. Capper of the Home Office, an account of the deaths among the convicts on board these vessels, and the following is that which he has been so polite as to furnish me with:—

	Average number daily on board the Hulks.						Deaths.	
1820	-	-	-	-	-	2,800	-	65
1821	-	-	-	-	-	2,800	-	64
1822 at Woolwich	-	-	-	-	-	650	-	18
— at Sheerness	-	-	-	-	-	900	-	13

In submitting this document to me, Mr. Capper mentioned, that the mortality at Sheerness, was considerably less in 1822, than in former years.

From the above statement, it is evident that the number of deaths during the years 1821 and 1822, has been greater in the Penitentiary than among the convicts on board the Hulks; and it shall be the subject of a few observations, to endeavour to account for this circumstance.

First,—They are entirely male convicts on board the Hulks, amongst whom the mortality has invariably, at least with us, been less than among females.

Secondly,—Convicts in the Hulks are daily employed at hard labour in dock-yards or arsenals, which I consider a more healthy occupation than those pursued by the convicts in the Penitentiary.

Thirdly,

Thirdly,—The greater number of convicts on board the Hulks remain but a short period, or until they are embarked for New South Wales; so that their spirits are kept up in the anxious hope of a favourable change in their situations on their arrival in that colony. Whereas, with us, the mind being, as it were, constantly turned in upon itself, and there being very little prospect of emancipation, until the full expiration of the sentence of imprisonment; added to the sameness of situation and objects, with the comparative sedentary life led, will tend in no small degree to account, in my opinion, for the trifling difference of health, that exists between the Penitentiary and Convict Hulks.

The result then appears to me to be, that the convict population of this country enjoys as high, if not a higher degree of health, as before stated, than will be found to exist in common life, as far, at least, as relates to the Penitentiary and Convict ships.

I have the honour to be, Gentlemen, your very obedient humble Servant,
(signed) *A. Copland Hutchison*,
Principal Medical Superintendent.
The Honourable
The Committee of General Penitentiary,
&c. &c. &c.

N° 5.

Spring-gardens, 14th February 1823.

Gentlemen,
THERE being a few slight cases of scurvy among the prisoners, I beg earnestly to state to the Committee, that unless the convicts be allowed a greater share of exercise than they at present enjoy, particularly in the winter months, I feel quite certain, that the scurvy will not only *not* disappear from among them by the cure of those now labouring under that malady, but also that other diseases no less direful in their consequences, will eventually make inroads among them.

I consider it my duty, therefore, to make this statement to the Committee, and to refer them to my quarterly report, dated 4th October last, where it will be found that I have adverted to this subject, and also in communications to the Committee of an earlier date. The pump and mill now in operation in the Penitentiary, give exercise only to the muscles of the arms and trunk, whereas such a machine as the tread mill, would give exercise to every voluntary muscle of the body; and in my opinion, would greatly contribute to the preservation of the health of the prisoners in this establishment.

I beg also to recommend to the Committee, that each of the prisoners be allowed a hard sea biscuit daily, to eat with their soup in the evening.

I have the honour to be, Gentlemen, your very obedient humble Servant,
(signed) *A. Copland Hutchison*, M. D.
Medical Superintendent.
The Honourable
The Committee of General Penitentiary,
&c. &c. &c.

N° 6.

Spring-gardens, 24th February 1823.

Sir,
I HAVE the honour to acquaint you, for the information of the Committee, that one well marked case of scurvy, and two others of a less distinct character, have shown themselves among the prisoners within these three or four days, in addition to the cases mentioned in my letter to you of the *8th instant. That the number of cases of flux has likewise greatly increased within the same period, and that Humphrey Adams died last night from the latter disease, after a very short illness.

There is a species of flux styled by writers scorbutic dysentery, and this appears to me to be the disease under which the prisoners in the Penitentiary now labour. I have therefore to request, with the view of arresting the further progress of this destructive malady, that the prisoners be allowed a much greater share of exercise in the open air than they have hitherto enjoyed, and that the vegetables for their soup

* Suppose that of the 14th February is alluded to, there being no letter of the 8th.

† The letter of the 8th of February, adverted to in the above note, was subsequently found and produced by the Penitentiary Committee. See the Evidence, (p. 36.)

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soup be increased in quantity; having found on inquiry this day in one of the male kitchens, that the quantity of vegetables for the soup was not increased with the number of prisoners lately admitted into that part of the prison, *id est*, the quantity being the same as previous to such increase of numbers.

If the view I have taken up of the nature of the dysenteric affection above alluded to be correct, the present system of diet may have no share in the production of the disease; but at present I am unable to speak decidedly on the subject: at all events, I beg and earnestly entreat, that the suggestions contained in this letter, may be acted upon with the least possible delay.

I have the honour to be, Sir, your very obedient humble Servant,
(signed) A. Copland Hutchison,
Medical Superintendent.

To the Visitor of the General Penitentiary, &c. &c. &c.

N° 7.

Sir,

Spring-gardens, 28th February 1823.

SINCE my letter to you of the 24th instant, I have daily visited the Penitentiary, and have found four more cases of scurvy, two of them attended by flux. I have likewise to acquaint you, that in the kitchen for pentagon 5 and 6, alluded to in my last communication, as being deficient in vegetables for the soup, there has not been any increase of ox-heads, notwithstanding that about forty new convicts have been admitted into that part of the prison.

On attentively considering the quantum of animal matter consumed by the prisoners, according to the present regulations, I am now quite confident that it is *not* sufficient to shield them against attacks of scurvy and scorbutic dysentery, more especially when the other great predisposing causes to such diseases cannot wholly be removed, owing to unavoidable circumstances. The predisposing causes being deficient exercise, solitary confinement, and mental dejection.

On strict inquiry, I find that the animal matter when removed from the bones of the largest ox-head that has yet been received by the superintending cook of the 1st and 2d pentagons, amounted in weight to but eighteen pounds, and supposing the smallest to be fourteen, the average will then be but *sixteen* pounds, being the whole of the animal food daily allowed to *one hundred persons*. I beg, therefore, to propose to the committee, that at *least* one half more be added to the soup of stickings of beef, and that the quantity of barley, which now chiefly gives the consistence to the soup, be diminished in a proper ratio; also, that the prisoners be each allowed a hard biscuit per diem, to eat with their soup in the evening, as mentioned in my letter of the 14th instant, with a small increase of vegetables; and likewise one ounce of lemon juice to each person every week, made into sherbet, with half an ounce of common brown sugar, and ten ounces of water.

A diet so arranged, when combined with an increase of exercise, would, I have reason to believe, very materially lessen, if not remove, the scorbutic diathesis that now so much prevails, and yet keep entire the present system of dietary.

I have the honour to be, Sir, your very obedient humble servant,
(signed) A. Copland Hutchison,
Medical Superintendent.

W. Courtenay, Esq. Visitor, &c. &c.

N° 8.

General Penitentiary, 28th February 1823.

THE Committee of the General Penitentiary present their compliments to Dr. Hutchison, and enclose a copy of the resolution to which they have come, after a full consideration of the present state of the prison, for calling in the assistance of two other professional gentlemen;—a resolution which they hope will be a relief to his mind, as it will be satisfactory to themselves and the public, the attention of which, seems to have been already drawn to this important subject.

A. Copland Hutchison, M. D. &c. &c.

At a Special Meeting of the Superintending Committee,
held the 28th February 1823.

Resolved, “That two physicians be professionally employed to visit the infirmaries;
“to communicate with Dr. Hutchison and Mr. Pratt, and to give such directions
“for

“ for the treatment of the patients as they may think proper; and that they be requested to direct their attention to the causes of such sickness, and particularly to inquire how far the same is to be ascribed to the dietary. That for this purpose they be desired to meet either daily, or so often in the week, as may appear to be necessary, and for such period as may enable them to form a decided opinion upon the subjects referred to them.”

N^o 9.

Gentlemen,

Spring-gardens, 8th April 1823.

ALTHOUGH my functions as medical superintendent of the Penitentiary have been in a manner superseded since the expiration of the last quarter, two gentlemen having been appointed to perform the medical duties, who, I understand, are required to *act and report, independently of me*; I nevertheless deem it my duty, in compliance with my instructions, to continue my customary quarterly report.

In my frequent inspections of the prison during the last six weeks, I found the cells more cleanly than the persons of many of the convicts; the feet and legs of several of the male prisoners appearing by no means to have been properly attended to in that respect.

The deaths since the 1st January up to the present period, have been seven females and twelve males.

The only important remark to be made, is the breaking out of the disease commonly called sea scurvy, in the early part of February; and scorbutic dysentery and diarrhœa have been the chief source of mortality. There were yesterday ninety-one patients in the infirmaries of all descriptions of cases, of whom about eight are severely afflicted; and although the cases of scurvy are much diminished, there is still a considerable number affected with that disorder, some of which appear to be of a serious nature. Gentlemen, this species of scurvy is a disease of a very singular nature, and has nothing in common with the other diseases which pass under that name. It hardly ever occurs except at sea, so that few practitioners in common life have ever met with it.

In consequence of serving at sea for some years, and having been one of the principal medical officers of the Naval Hospital at Deal, for between seven and eight years, this disease fell largely under my observation and treatment. As this made part of the duty of my public situation, I claim no merit; and as it would ill become me to boast of my qualifications, I must refer you to my general character and competency in my profession, to those members of it to whom I am personally known, and to the profession at large, to whom I am known by my writings. I allege further, that I received the education of a physician, and am a graduate in physic; and humbly conceive, from all these considerations, that I was not undeserving of your confidence, particularly in the present emergency; and should have been proud and happy to have done my best for these unfortunate persons intrusted to me, had it been your pleasure.

Gentlemen, I have only further to state, as a matter of duty to you, as well as justice to myself, that from my experience in this disease, I am well convinced, that had my recommendation regarding diet, air, and exercise, in my reports, dated March 1822 and subsequently, been adopted, this disease would either have been prevented or sooner subdued.

I shall conclude by assuring you, that what I have said does in no respect proceed from any feelings of jealousy or disparagement, towards the gentlemen whom you were pleased to appoint to supersede me in this duty; but, on the contrary, that I have much reason to be satisfied with their candid behaviour to me; and I cannot but feel for gentlemen of their liberal character, in having imposed upon them a task, implying an indignity on one of their brethren. I may also add, that the surgeon, during this distressing period, has been indefatigable in his duties.

I have the honour to be, Gentlemen, your very obedient humble servant,

(signed) *A. Copland Hutchison,*
Medical Superintendent.

P. S. As it is my principle to act openly, I think it right to acquaint you, that I shall send a copy of this letter to the Secretary of State for the Home Department, as I have done with my other communications to you on this subject, as he has been pleased to send for me, in order to consult me regarding the health of the prisoners.

(signed) *A. C. H.*

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(C.)

N° 10.

Sir,

General Penitentiary, April 12, 1823.

YOUR letter of the 8th instant has this day been laid before the committee; from the tone in which that letter is written, and from the evident indisposition on your part, to hold any useful communications on subjects connected with your medical duty, with the superior officers of this establishment, which has long been observed and regretted by us, it does not appear to us possible that your medical attendance upon the prison can continue to go on under our superintendence, with any sort of comfort either to us or to yourself, or with any prospect of advantage to the public.

We have, therefore, reluctantly, felt it to be our duty to direct a committee to be summoned, in order to take into consideration your removal, and the appointment of another physician as your successor. We have, however, directed that the summonses for this purpose shall not be issued until Tuesday, in case you should wish, by any communication to the secretary, to save us from the necessity of taking this formal and unpleasant proceeding.

Under these circumstances, the committee do not feel it necessary to make any more particular remarks upon the statements in your letter, except to say, that upon reference to your reports, dated March 1822, and subsequent to it, we feel confident that your observations, with relation to those reports, must have been written under some mistake, as they appear to be altogether unfounded.

I have the honour to be, Sir, your most obedient servant,

(signed) *E. Bootle Wilbraham,*
in the chair.

Dr. Hutchison, &c. &c.

N° 11.

Gentlemen,

Spring-gardens, 14th April 1823.

I HAVE to acknowledge the receipt of your letter of the 12th instant, intimating, that from an indisposition on my part, to hold any useful communications on subjects connected with my medical duty, with the superior officers of the Penitentiary, which has long been observed and regretted by you, it does not appear to you possible that my medical attendance upon the prison can continue to go on under your superintendence, with any sort of comfort either to you or to myself, or with any prospect of advantage to the public; you have, therefore, reluctantly felt it to be your duty to direct a committee to be summoned, in order to take into consideration my removal, and the appointment of another physician (*a medical superintendent*) as my successor. You have, however, directed that the summonses for this purpose, shall not be issued until Tuesday, in case I should wish, by any communication to the secretary, to save you the necessity of taking this formal and unpleasant proceeding.

In answer, I beg to say, that never having felt any indisposition to hold communication with the other officers of the institution, but, on the contrary, having studied, as was my undoubted duty, to cultivate, as far as possible, the utmost harmony with them; and being conscious also of ever having done my duty with the utmost assiduity and zeal, as principal medical officer of the Penitentiary, both during the three years and upwards in which I performed the duty gratuitously, as during the like period in which I have received a salary; I beg to decline the offer you make me, however well meant, of accepting my resignation;—whatever you may be pleased to do on this point, must be on your own responsibility.

I shall soon, at more leisure, make such remarks on the whole of these proceedings as I deem due to myself, and to the welfare of the institution; and shall now only remark, with respect to what you allege regarding my differences with the superior officers, that, with the exception of the chaplain (whom I believe to be the author of all these differences, and whom I shall ever consider as having acted a part most unworthy of his sacred function, by stooping to become a spy and talebearer, and by having, on a certain occasion, endeavoured to take away my character, by a most unfounded imputation), I have lived on the best terms with the other officers, to whom I have never given the least cause of offence, unless such occasional admonitions as I was called upon to give, in the conscientious exercise of my duty, particularly to the matron and surgeon, could be so construed.

With

With regard to the other part of your letter, in which you allege, that "upon reference to my report," (in answer to your letter of the 18th March 1822, respecting change of dietary) "and those subsequent to it, it had been written under a mistake, as they appear to be altogether unfounded," I am compelled to say, that it is utterly inconceivable to me how you can put this construction on my communications to you of March and October 1822; for in the former, I recommended a diet entirely different from that which you judged proper to adopt, and in that of October, I made certain representations regarding the necessity of more walking exercise; as also, some months previously, when addressing you on this subject, I even recommended that the prisoners in the yards, be made to move at the rate of a military "*trot*."

Gentlemen, I should be guilty of affectation were I to make light of the misfortune of being deprived of my situation; but let it be understood, that it is not the salary upon which I set a value. It is well known to all those who are acquainted with me, that I have ever pursued my profession with enthusiastic ardour, and equally so, whether with or without emolument. Had it not been for this, and the deep interest which I took in the welfare of this infant establishment, I could not have been induced to retain this situation so long, under the despicable treatment I have met with; and I will venture to warn you, that you will not easily find a successor to me, who, with that liberal and independent mind which every professional man ought to possess, and having a due respect for himself, will be induced, under the like treatment, to serve you as long as I have done. But upon this and other topics, I shall soon address you at more length.

I have the honour to be, Gentlemen, your very obedient humble servant,

(signed) *A. Copland Hutchison*, M. D.
Medical Superintendent.

The Honourable
The Committee of General Penitentiary,
&c. &c.

P. S. I beg to offer my apologies for the hasty manner in which this letter is drawn up.
(signed) *A. C. H.*

N^o 12.

Gentlemen,

Spring-gardens, 19th April 1823.

I HAVE had the honour to receive your letter of the 12th instant (to which I have already made some reply) intimating that it was intended to call a meeting of your members to consider of my removal from the situation I have held nearly seven years, as principal medical officer of the Penitentiary; grounding that extreme measure only, as far as I can discover, on three points: First, the tone of my Report to the Committee, dated the 8th instant; secondly, that I have shown a *disinclination* to communicate with the *officers* of the establishment; and thirdly, that my assertions, of having in March 1822, and subsequently, recommended diet and exercise for the prisoners on a greater scale than the Committee had thought fit to adopt, was *unfounded*.

In answer to which I beg merely to observe, that nothing in the tone or contents of my letter was intended to be disrespectful to the Committee; and allowing for very natural feelings, under what I considered to be, not only unfriendly, but hard and unmerited treatment in the recent medical inquiry, I hope this letter, when candidly interpreted, will be found very far indeed from being an adequate cause for the proceeding contemplated.

In regard to the second reason, that I had shown a disinclination to communicate with the officers of the establishment. If by this charge it be meant, that I had not co-operated with them at all times as far as was necessary for the good of my patients, I beg leave solemnly to deny the fact; and I cannot but think, that such a charge should not so hastily and lightly have been made, without a shadow of foundation. On the contrary, I have ever been on as friendly terms as was compatible with our relative situations, with every officer in the Penitentiary, with the single exception of the chaplain; and if with him for some months past I have had no interchange of personal civilities, I must in the first place say, that this

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alteration was of his own seeking ; and in the next, that there is no conceivable connexion between the duties of the chaplain and my own, and therefore, as far as the public service is concerned, it cannot be of the slightest importance to the Committee, whether we are on friendly terms or otherwise.

In regard to the third point, it is a dry question of fact, I may say of arithmetic. I beg to enclose, for the information of the Committee, a Comparison of the Scheme of Dietary in use before March 1822 ; of that which I then proposed ; and of that which the Committee adopted in June, and acted upon on the 4th of July of the same year. By this Paper it is arithmetically demonstrated, that my assertion is undeniable in respect of Diet ; and in regard to Exercise, I have only to refer to my letters on that subject, wherein it will be found, that I, in the first place, recommended the prisoners to be made to move at a " trot " (the word used in my communication alluded to) when in the airing and exercise yards ; secondly, in my report before quoted, the 4th of October and subsequently, to establish the point most unequivocally.

Waiting with the utmost calmness your decision, which I trust will be such as shall hereafter be pronounced answerable to your high stations in the country, and to the interests of that trust which you have voluntarily undertaken to fulfil,

I have the honour to be, Gentlemen, your very obedient Servant,

(signed) A. Copland Hutchison, M. D.
Medical Superintendent,

The Honourable
The Committee of General Penitentiary.

ENCLOSURE.

SCHEME, N° 1.		SCHEME, N° 2.	SCHEME, N° 3.
First or original DIETARY, previous to 5th July 1822.		DIETARY recommended by Medical Superintendent, as by his Letter, dated 22d March 1822.	DIETARY established by Committee, and acted upon 5th July 1822.
Daily $1\frac{1}{2}$ lb. of bread for every male prisoner above the age of 18 years, and 1 lb. for every other prisoner. But boys under 18 may have the full allowance of bread, if it be certified by chaplain and governor that their conduct has been meritorious during the week preceding.		After showing, by practice and observation, that the first dietary was too abundant, I then made some observations on the subject of its not being too much and too suddenly lowered. I then gave, with great diffidence, the following, namely ;— That " the daily allowance of bread to " be precisely what it now is.	<i>In the morning.</i> —Three-quarters of a pound of bread, and one pint of gruel, for the males ; and nine ounces of bread, and three-quarters of a pint of gruel, for the females.
For Breakfast -	{ 1 pint of hot gruel or porridge.	" Gruel the same, <i>night and morning</i> , " warm.	<i>At noon.</i> —Three-quarters of a pound of bread, and one pint of soup, for the males ; and nine ounces of bread, and three-quarters of a pint of soup, for the females.
For Dinner :	Sunday - -	" One quart of broth to the males, as " <i>now made</i> ; the same quantity to the " females employed in the wash-house	<i>In the evening.</i> —One pint of soup for the males, and three-quarters of a pint for the females.
	Tuesday - -	" and laundry ; the other females, one " <i>pint and half</i> only, during six days " in the week.	
	Thursday - -	" Eight ounces of meat, of the same kind " as they have heretofore been accus- " tomed to, on <i>Sundays</i> , with one " pound of boiled potatoes, omitting " broth on this day altogether ; for " every description of prisoners."	
	Saturday - -		
	Monday - -		
	Wednesday - -		The soup to be made with <i>ox heads</i> , in lieu of other meat, in the proportion of one ox head for about 100 male prisoners, and the same for about 120 female prisoners ; and to be thickened with vegetables and peas, or barley, alternately, either weekly or daily, as may be found most convenient.
	Friday - -		The Committee to substitute at their discretion potatoes for bread, at the rate of one pound of potatoes for half a pound of bread.
For Supper - -	{ 1 pint of hot gruel or porridge.		
<i>Note.</i> —Then follow some other articles and extras to be issued on particular occasions, &c.			[The Note affixed to the bottom of Scheme N° 1, applies here.]

A COMPARISON of the Weekly Allowance of FOOD to a Male and Female, jointly, by each of the Three Schemes of Diet under consideration.

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FIRST SCHEME, IN USE PRIOR TO 1822 :

	17 lbs. 8 oz. bread - - - -	-	-	-	} Farinaceous or esculent food.	
	28 pints of gruel or porridge - -	-	-	-		
	14 pounds of potatoes - - - -	-	-	-		
During	{	48 ounces of boiled meat, free of bone	-	-	} Estimated to require of undressed animal food,	
four days,		4	pints of broth - - - -	-		-
On the other		9	13.			
three days,	pints of broth - - - -		-	-		-
						64 ounces.
					12 ,,	

With vegetables, rice, barley, and
pease, to improve the broth.

TOTAL - - 76 ounces per week for each couple;
or nearly 11 ounces of Animal Food a day for
a male and female together.

SECOND SCHEME PROPOSED BY DR. HUTCHISON IN MARCH 1822 :

17 lbs. 8 oz. bread - - - -	-	-	-	} Farinaceous or esculent food.
28 pints of gruel or porridge - -	-	-	-	
2 pounds of potatoes - - - -	-	-	-	
16 ounces of boiled meat - - - -	-	-	-	} Estimated to require of undressed animal food, 20 ounces. 28 „
21 pints of broth (improved as before)	-	-	-	
<hr/> <p style="text-align: right;">TOTAL - - 48 ounces per week for each couple; or nearly 7 ounces of Animal Food a day for a male and female together.</p>				

THIRD SCHEME ;

Being that in present use till the late Sickness :

	{	18 lbs. 6 oz. of bread (or to be changed by 1 lb. of potatoes for each $\frac{1}{2}$ lb. of bread) - - - -	}	Farinaceous or esculent food.
		12 $\frac{1}{4}$ pints of gruel - - - -		
		24 $\frac{1}{2}$ pints of broth (improved as before.)		

Animal Food allowed to make the broth:—Two ox heads for each 220 persons, 8 lbs. on an average; but allowing another pound for animal matter contained in the bones, this gives 288 ounces among 220 persons ($1\frac{1}{3}$ ounce to each person,) being a weekly allowance to each couple of nearly 19 ounces of undressed animal food, or two ounces and two-thirds to each couple daily.

N° 13.

Sir,

General Penitentiary, 19th April 1823.

BY direction of the Superintending Committee of this Establishment, I enclose to you, an Extract from the Minute of their Proceedings this day.

I have the honour to be, Sir, your most obedient Servant,

A. Copland Hutchison, M. D. &c. &c.

(signed) Rob. Auld, Secretary.

At a Meeting of the Superintending Committee, held the 19th April 1823.

Resolved, That

“ The Committee having maturely considered the Correspondence which has taken place with Dr. Hutchison, now laid before them, are unanimously of opinion,
“ That he should be removed from his situation as Principal Medical Superintendent to the Penitentiary; and therefore he is removed from this day.”

(D.)

APPENDIX
(D.)

LETTER from Dr. Hutchison to The Honourable Henry Grey Bennet,
Chairman of the Select Committee on the Penitentiary, &c. &c.

Sir,

Spring Gardens, 27th June 1823.

SINCE closing my evidence on Wednesday, I have recollected a circumstance which ought to have been explained both in justice to myself and to the treatment of the convicts, generally, in the Penitentiary.

Mr. Pratt and the matron have stated in their evidence, p. 99 and 102, that on one occasion, in November or December last, while I was accompanying them in my inspection of the female wards in the prison, several of the convicts complained of weakness of the stomach, which, debilitated by deficient diet, had finally rejected their food; and that, in this situation, I had prescribed warm water for them.

To the Profession, such a declaration is so ridiculous that it would not be credited for a single moment; but for the information of the committee, it may be proper I should declare that there is no manner of foundation for the assertion. The fact is merely this: that in one of the last cells we visited, I was asked by two females, to allow them a little warm water, which they said Mr. Pratt had *previously allowed to two others* whom they named, and had refused it to them. On which, conceiving they wanted it for toast and water, and seeing no reasonable objection to such an indulgence, I whispered Mr. Pratt, that as he had allowed it already to some of them, he might indulge those also: I then informed the applicants that Mr. Pratt would comply with their request; which very trivial circumstance he has magnified into my prescribing warm water; whereas, in point of fact, the parties not being sick and being at work in their cell, were not prescribed for at all! and if they had made the complaint ascribed to them, they would instantly have been removed from their cells into the infirmary.

I have the honour to be, Sir, your most obedient and very humble Servant,
A. Copland Hutchison.

(E.)

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N^o 1.—LETTER from Mr. *Morton Pitt* to the Chairman of the Select Committee on the General Penitentiary; with Enclosure.

Dear Sir,

MY answer to Mr. Courtenay's letter of the 8th of May has caused a statement from the Penitentiary committee to be addressed to me; it is dated May 17th, and was enclosed in a letter of Mr. Auld's, the secretary, of the same date. It is rather singular that this document, which was presented, as I understand, to the Select Committee on the 27th, was not sent to me till the 30th, as appears by the London post mark. As the above statement is in evidence before you, and that I have found it necessary to reply to it, I must take the liberty of requesting, through you, of the kindness, and may I say the justice, of the Select Committee, that my reply, dated June 9th, and a literal copy of which is herein enclosed, may be permitted to be inserted on your minutes.

I am desirous of submitting likewise to the Select Committee a few remarks on the evidence of Mr. Holford. He mentions that I have introduced much *detail* in the Penitentiary committee. Those details were principally recommendations of arrangements for the discipline, regularity, and good order of the prison, by means of a regular gradation of superior and inferior officers, and by conveying to the governor, the visitor, and the committee, through reports from those officers, a knowledge of all proceedings as to the conduct of the prisoners, the works performed by them, the deliveries of all articles, and the expenses of the establishment; also the clearing up, and stating from the beginning, all the accounts of the institution; and, lastly, the introduction of various objects of economy. The arrangements, as to discipline and accounts, have been completed, and some progress has been made as to the economical recommendations; but I am of opinion, that a considerable further reduction is still practicable. These objects appeared to me to be of great importance, to them I directed my attention, and the management of the prison itself was undertaken by other gentlemen; and, under these circumstances, I can hardly feel that I am open to censure for troubling the Penitentiary committee with such details. My time having been principally given up to these pursuits, and not having been a visitor, I think, since the beginning of 1817, I conceive it will not be in my power to communicate to the Select Committee any material information on the practical management of the institution.

Mr. Holford

Mr. Holford has also thought fit to account for my retiring from the Penitentiary committee, in these words; "*There can be no doubt of his having resigned under a notion that the committee were wrong in the removal of the late medical superintendent*;" but seems to have forgotten that he was informed by me, very early in this session of Parliament, and long before the late transactions relative to Dr. Hutchison, that such was my intention; and I believe I could also call to his recollection, that I made a similar communication to him at least a year ago. He proceeds to say, "*Mr. Pitt's opinion, upon this occasion, is not a judgment pronounced upon full knowledge of the proceedings*," &c. but "*founded rather upon his general confidence in the gentleman removed, than on any other ground*." I certainly am of opinion, that Dr. Hutchison has received harsh treatment and undeserved injury; but I have the most full reliance on the impartiality of the Select Committee, and am persuaded that, in its Report, it will do him ample justice, and relieve him from the effects of the erroneous opinion which may have been taken up by the Public. I certainly acknowledge a great regard for Dr. Hutchison; I know his merits to be great, and that the attention he has paid to the discharge of his duties has been exemplary; I believe his skill and talents to be very considerable; and I have always understood that the humanity he has shown to the prisoners has produced very generally a strong effect on their minds.

I have the honour to be, dear Sir,

Very faithfully Your's,

Dover-street, June 16, 1823.

W. M. Pitt.

(Enclosure.)

IN answer to the minute which the Penitentiary committee have done me the honour to send to me, enclosed in a letter from the secretary (dated May 17th, but which I did not receive till the 31st), I have first to express my regret at an inaccuracy in stating the time of my leaving London last year, which I really thought had taken place the last week in May, instead of the first week in June, as now appears to have been the case; and which I am most ready to admit, though it seems a circumstance of little importance in itself: it is, however, rendered clear from the minutes, that I attended the committee, not only on the 24th of May 1822 (of which I had no doubt), but also on the 31st of that month; yet I really have no recollection of the specific *resolutions* which may have passed that day, or even on the 24th.

I remember, most perfectly, the new dietary being discussed on *one* of my last attendances at the Penitentiary before I left town, and that it was approved (I believe by every member then present, with one exception) but I so little understood it to have been then *actually voted, or finally resolved upon*, that feeling much anxiety for that measure, I expressed to more than one member of the committee, my earnest *hope* (as mentioned in another of my letters) that it might be brought forward with as little delay as possible, for the purpose of being absolutely decided before the summer. Again, as well as I can recollect after so long an interval, I was at the Penitentiary but for a *very short time* (and still less in the committee room itself) on the *last day when I attended*, and which appears to have been on the 31st of May, and the resolution referred to in the minute, as having passed on that day, may very probably have been voted after I left the room.

In regard to the communication stated to have been made by me to the committee on the 24th of May, of the sentiments of Dr. Hutchison upon the dietary, I have no memorandum of that communication, but I may perhaps have expressed, in such strong terms, my *hope* that he *might* reconcile himself to its being adopted as an *experiment*, as to have induced the committee to presume that it *had* at last his positive approbation and sanction: I am much inclined to believe that it really was so.

It appears by the minutes, that the committee also conceived that I had obtained Dr. Hutchison's approbation of the number of ox heads necessary for the soup proposed to be distributed to the prisoners. I had considered that point rather as a question for the cooks to ascertain, and it was to them I put it—"what quantity of ox heads would be required to make soup of the excellent quality then in use;" and I have a memorandum before me of their answers. The cooks of the kitchen for the pentagons 1 and 2, said, that it would require *four* ox heads to make such soup for 300 male prisoners; but the cooks of the pentagons 5 and 6, said, very decidedly, that *two* ox heads would be sufficient for the same number of male prisoners, the medium being *three*, or one ox head for 100 male prisoners. I proceeded to the kitchen for the females, pentagons 3 and 4, and the cooks of that kitchen gave it as their opinion, that three ox heads would suffice for 400 female prisoners. The allowance to the women is three-fourths of that for the men, which agreeing perfectly with the *medium* above described, I recommended, on this authority, the rate of one ox head for 100 males, and for the females in proportion. I think Mr. Couch, the late governor, and Mr. Rickman, the steward, were both with me when I made the inquiry, but not Dr. Hutchison. Thus far I consider myself responsible for the original recommendation of the scheme, as well as for the substitution of ox heads in lieu of the meat before used, having been assured that a given quantity of meat from ox heads, was *far more nutritious* than a like quantity of the other. I should hope, however, that my responsibility will not be expected to extend further, and that I shall not be charged with being the cause of all the sickness at the Penitentiary. I have stated fairly the grounds of my recommendation, the success of the measure in Dorsetshire, and the statements of the cooks. The committee were aware of Dr. Hutchison's and Mr. Pratt's objections, and even

on

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on the presumption that I had been authorized by the former to accede to trying the experiment, as far as *he* was concerned, it would have been more prudent, before the measure was finally resorted to, to have obtained a positive, respectable medical sanction, to be entered on its minutes. I am satisfied the committee acted with the best intentions, but subsequent and unforeseen events render it unfortunate that a more regular course of proceeding was not adopted, and this I think should equally have been the case, had no misapprehension taken place as to the communication received from me.

It may not be unsatisfactory to the Committee, if I mention here the result of an examination I have made since I have been in the country, of the book kept by the surgeon of the prison at Dorchester. I should first state, that when we were about forming our dietary in this county, we consulted, amongst other authorities, Mr. Howard's book on prisons. It appears (page 33) that the allowance he recommends for prisoners, drinking nothing but water, is a pound and a half of good household bread daily, one day after it is baked, and further to such as are well behaved and not turbulent, one pennyworth of cheese, butter, potatoes, pease, or turnips, also daily. Mr. Howard also recommends eight ounces of coarse meat, and without bone, to be given to them *every Sunday*, which it should be noticed, is *precisely* in unison with Dr. Hutchison's opinion. After much consideration, the magistrates who had taken up the inquiry in Dorsetshire, strongly impressed with the idea of the expediency of some warm liquid food, were of opinion, that a quart of soup, *every day*, would be more than an equivalent for the cheese or other articles suggested by Mr. Howard, inclusive of the eight ounces of meat for the Sunday's dinner. Our dietary was established in the year 1809, and has been continued to this time (yet I confess, our soup is certainly inferior to that in use at the Penitentiary), and our prisoners have ever since been singularly healthy. Our total number of prisoners in fourteen years, from 1809 to 1822, both years inclusive, amounted to 5,498; our total number of prisoners reported sick or hurt of every description in the same period, amounted to 1,683, and our number of persons in fluxes during that time was only 3! Previous to the adoption of this dietary, the flux was a disorder very prevalent. In the year 1804, we had 221 prisoners in confinement; the number of sick in that year was 83, and of these, in fluxes, 35. In 1805 we had 205 in confinement, 91 sick, and 34 cases of fluxes. The annihilation almost of that complaint, we have attributed to our dietary, and we have found no inconvenience whatsoever resulting from it, and this consideration had the greatest weight with me, when I ventured to recommend the system which was adopted at the Penitentiary.

The committee, in their minute, though they admit my claim to give that testimony to the merits of Dr. Hutchison which I believe him to deserve, seem to consider, that I ought to have limited that testimony to the period of May 1822, when my attendance upon the committee was discontinued. I certainly saw little of Dr. Hutchison between May 1822 and April 1823, but if the limitation I have alluded to is to refer to the transaction which took place in June 1822, I have no hesitation in saying decidedly, that I give no credit whatsoever to the reports made to the visitor about that time, so injurious to the character of Dr. Hutchison, and this partly from the high estimation I entertain of him, partly from the opinions I have received from some of his oldest friends, and partly from having had *frequent* opportunities of seeing him myself in the evening. Unfortunately it is matter of extreme difficulty to disprove an alleged fact, but taking into consideration the credibility of the parties, and, on the other hand, the character of my friend, I totally disbelieve the story, and conceive him to be the victim of *cabal* and *tale-bearing*, as expressed in my letter, and that this is one instance of it.

The present discussion must naturally be extremely unpleasant to me, but I should be much grieved indeed, if any members of the late or present committee, and especially those with whom I have so long been on terms of intimacy and friendship, could for a moment suppose I wished to insinuate, that such a system had, from any of them, met with *encouragement*. When I used the expression, "I have always hoped such a system would have been *more discouraged*," and which is more particularly explained in the same letter by the subsequent words "effectually crushed," I only expressed my sincere regret that tale-bearing should have been suffered to exist, as being so subversive of discipline, and so likely to foment discontent and jealousies. That it is the duty of the committee and of the visitor, to hear complaints and redress grievances, is indisputable, but it does not follow that tales, the apparent object of which is the gratification of the resentment of individuals, ought to be attended to. My good friend, Mr. Holford, will remember I am persuaded, that I have *very long* held that opinion, and from communications I have often received from him, I have been induced to think that, in his zeal, he has been too ready to attend to reports of prisoners against officers, and officers against each other. This is one of the few points on which Mr. Holford and I have ever disagreed. In regard to the other gentlemen who have served the office of visitor, I am ignorant of what may have taken place in their time, I know their zeal for the institution, and am desirous of expressing myself towards them also, in terms of much regard and respect. Those members who have been most constant in attendance on the committee, during the period of its existence, must recollect, what a long portion of time has been devoted to the adjusting the various complaints brought before them, frequently precluding the means of discussing material objects of general arrangement. The very considerable number of officers dismissed in the course of the seven years, may, in a great measure, be attributable to this evil (which I firmly believe, and have long believed, to exist) unless it should be supposed, that the committee have been inattentive in their selection of officers, which certainly was never the case.

I am

I am perfectly aware that the powers with which the present governor is intrusted are the same as those of his predecessors, but what I have ventured to represent as the fundamental error, *I repeat*, I conceive to be, not that his predecessors had not the powers, but that the committee and the visitors, I really believe on the best and most laudable motives towards the welfare of the establishment, and to their own infinite trouble and annoyance, have undertaken the charge of *governing* it themselves, instead of *superintending* its government by the governor. If a different plan had been sooner adopted, the governors would have been more respected, a better discipline would have existed, and I believe the cabals would have been less frequent. Captain Chapman, the present governor, appears to possess a firm mind, and other requisites which promise much advantage to the institution, as I am led to presume from two conversations I have had with him; and if, as I hope and trust he will be, he is duly supported, the welfare and utility of the Penitentiary will no doubt be rendered as permanent, as I most anxiously and sincerely wish it to prove.

Kingston, Dorchester, June 9, 1823.

W. M. Pitt.

N° 2.

Copy Letter from Dr. Hutchison to E. Bootle Wilbraham, Esq.

Dear Sir,

21, Leicester-square, 4 April 1822.

I BEG leave to acknowledge the receipt of the letter you did me the honour to write, and to assure the committee of the General Penitentiary, through you, that I shall scrupulously adhere to their injunctions, respecting the confidential nature of my reports. At the same time I hope I may be permitted to remind the committee, that in my remarks on the surgeon's report of the case of Ann Atkinson, after the new regulations alluded to in your letter, I distinctly expressed my determination to be faithful to the welfare of the institution, and farther, that my only motive for acquainting the surgeon on the occasion, with the nature of the remarks I had made, was to impress upon him the very circumstance of my having so bound myself for the future.

There being no one circumstance for me to complain of, in the case of Ann Atkinson, which was not contained in the surgeon's own statement, I trust the committee will do me the honour to believe that I only performed an act of justice, without any partiality, in submitting this first remark to his inspection, with a view to his future guidance.

I have the honour to be, dear Sir,

Your very faithful and very obedient servant,

(signed)

Alex. Copland Hutchison,
Medical Superintendent.

E. B. Wilbraham, Esq. M. P.
&c. &c. &c.

N° 3.

Extract from Minutes of Committee of Penitentiary, 15th March 1822; and Copy of Medical Officer's Report on the death of *Ann Atkinson*.

AT a Meeting of the Superintending Committee, held 15th March 1822.

Resolved,

THAT the medical officers do report on the case of Ann Atkinson, who died yesterday, after a very short illness; which report to contain the following particulars: at what time she was taken ill; when the circumstance was first communicated to the surgeon; when her complaint assumed a dangerous aspect; when Dr. Hutchison was first applied to, and when he first saw her, with the opinion he formed of her case upon that occasion; when she died; when the coroner sat, and what observations (if any) were made by the coroner and jury on the subject.

That a similar report be made, in future, upon the case of every death of a prisoner occurring in prison; to be laid before the committee at their next meeting after such death.

Gentlemen,

In answer to your order of the 15th instant, that I should report the case of Ann Atkinson, lately deceased, I have the honour to acquaint you,—

1st,—That she was taken ill about midnight, or early in the morning of the 11th of March.

2dly,—That I visited her in the infirmary at one o'clock, as near as I can recollect, and administered to her such remedies as appeared to me calculated to relieve her. I visited her again at three o'clock the same morning.

3dly,—That her complaints began to assume a dangerous aspect, in the afternoon of this the first day of her attack.

4thly,—That I wrote to Dr. Hutchison between three and four o'clock, the dangerous symptoms not yielding to the remedies I had applied; and he saw her with me about six o'clock, prescribed for her, and stated her to be labouring under *enteritis*, or inflammation

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of the bowels. It may be necessary to remark, that Dr. Hutchison's advice was a more rigorous following up of the plan which I had already commenced upon.

5thly,—That the inflammation terminated in gangrene, and she died at two o'clock, A.M. 14th March, being only about sixty-two hours from the first attack of the disease.

Dr. H. visited her twice on the 12th, and thrice on the 13th; and my own visits were almost hourly during the day, and occasionally in the night.

The coroner sat at a quarter past four o'clock on the 15th. Verdict—"Visitation of God;" and there were no observations made, either by the coroner or jury.

I beg leave to observe, that her sister attended her on the day of her death, when she informed me, the whole of her family had died of a complaint in their bowels.

I have the honour to be, Gentlemen,

20th March 1820,
General Penitentiary.

Your most obedient humble servant,
(signed) *Jno. Pratt.*

The above statement of Mr. Pratt's is perfectly correct, as far as came under my observation. I cannot, however, allow this opportunity to escape, without assuring the committee, that I am highly satisfied with the regulation they have made, which gave rise to this report; and that they may depend on me, with the utmost confidence, for the faithfulness of the remarks I may in future think it necessary to make on all such reports.

(signed) *A. Copland Hutchison,*
Medical Superintendent.

The Honourable the Committee,
&c. &c. &c.

N° 4.

Copy Letter from E. Bootle Wilbraham, Esq. to Dr. Hutchison.

Dear Sir,

General Penitentiary, 30th March 1822.

IT must be obvious to you, that the committee do not feel satisfied with the conduct of the surgeon, in the case of Ann Atkinson; and it is so evident to the committee that you yourself are not satisfied with it, that I am directed to express their warmest hope and wish, that in the reports which, by the new regulation, you are requested to make at the death of any prisoner, you will consider yourself as confidentially communicating with them, and as released from the necessity of imparting to the surgeon the remarks which you may have occasion to make on his conduct, or on that of any person connected with the medical department of the Penitentiary.

I am, dear Sir, your most obedient servant,

Dr. Hutchison, &c. &c.

(signed) *E. Bootle Wilbraham.*

N° 5.

Copy Letter from the Committee of the Penitentiary to Dr. Hutchison, 15th July 1822, and of his Answer, 17th July 1822: Of Letter from the Committee to him, of 31st July 1822, and of his Answer of 7th August and 3d September 1822.

Sir,

General Penitentiary, 15th July 1822.

I AM directed to acquaint you, that the committee have communicated with the governor and matron, on the subject of the infirmary instructions suggested by you, and have also themselves taken them into consideration.

They are of opinion that most of them are provided for, in the more detailed instructions, which have been for some time in preparation, to the infirmary turnkeys, which are to be observed by the nurses, as far as applicable, and whereof I send you a proof copy, that the committee may have the benefit of any observations you may have to make on them, before being printed off.

There are some which are considered as likely to lead to inconvenience, such, for instance, as the change of dress, which, as many of the prisoners come up to the infirmaries for a very short time, seems to be unnecessarily troublesome, and the directions about washing, instead of being generally done, unless the surgeon should see fit to order it otherwise, should, in the opinion of the committee, be left to be ordered by the surgeon, in such instance in which he should think proper.

I am also directed to inquire what are the particular deviations from the rules, by the nurses, to which you allude in your letter.

I beg the favour of your returning to me the enclosed copy of the turnkeys' rules, with your remarks, if any, on or before Thursday morning.

I am, Sir, your most obedient servant,

A. C. Hutchison, M. D.
&c. &c. &c.

(signed) *Robert Auld, Secretary.*

Sir,

Leicester-square, 17th July 1822.

I BEG to acknowledge the receipt of your letter of the 15th instant, and in answer thereto, have to request you will inform the committee, that when I submitted to them, on the 5th instant, the instructions I had drawn up for the nurses in the infirmaries, I was not aware they themselves had any such instructions in preparation; and, on looking over the copy with which you supplied me yesterday, I find that in several of them I have been anticipated by the committee; yet there are some of those suggested by me, and not noticed in the printed proof before me, to which I beg to call the particular attention of the committee; namely, the rule regarding a due supply of drinks for the sick; the making of beds and turning of mattresses; night caps changed twice a week; the interdicting patients from lying upon their beds with their clothes on; the proper airing of linen previous to use; and lastly, the washing and changing of dress in the bathing room, previous to the sick individual being taken into a ward.

In answer to that part of your letter, desiring me to state "what are the particular deviations from the rules, by the nurses," to which I allude in my letter of the 5th instant, I have to request you will be pleased to inform the committee, that I have very often found patients lying upon beds with their clothes on, a practice I had as often interdicted, for obvious reasons; that I have found patients sleeping in night caps they had brought up from their cells, and had worn a whole week, consequently very dirty; and lastly, the exceedingly filthy state I lately found a patient's legs and feet in, only a day or two prior to dissolution, and for which the nurse, I must say, felt the greatest shame and contrition, promising it should not occur again.

I am, Sir, your very obedient and very humble servant,

(signed)

A. Copland Hutchison,

Medical Superintendent.

Robert Auld, Esq.

Secretary to the General Penitentiary.

Sir,

General Penitentiary, 31st July 1822.

AT the last meeting of the committee, the matron having stated in her journal, that inconvenience attended your visits at the female infirmary in the evening, about the time the prisoners are preparing to go to bed; I was directed to mention the circumstance to you, and to request that you will have the goodness to endeavour, in your ordinary attendance, to make your visits, at such hour as may best suit you, before the time alluded to by the matron.

I am, Sir, your most obedient servant,

(signed)

*Robert Auld, Secretary.*A. C. Hutchison, M. D.
&c. &c. &c.

Sir,

21, Leicester-square, 7th August 1822.

I HAVE received your letter of the 31st ultimo, requesting me to pay my ordinary professional visits to the female infirmary previous to the time the prisoners are preparing to go to bed, as the matron had stated in her journal, that such visits at that period were attended with some inconvenience.

I was not aware that those visits to the infirmary could possibly be attended with inconvenience; had the circumstance, however, been only named to me by the matron, I should immediately have attended to it. The chief objects I have in going in the evenings, are, that occasionally an individual patient requires my attention more at this period than at any other; and likewise that it gives me an opportunity of convincing myself, that the officers, who have charge of the sick, are performing their duty in a proper manner.

I beg, however, that you will communicate to the committee my readiness to comply with their request; and that, in future, my evening visits shall be half an hour earlier than the period complained of.

I am, Sir, your very obedient humble servant,

(signed)

A. Copland Hutchison,

Medical Superintendent.

R. Auld, Esq. Secretary,
&c. &c. &c.

3d September 1822.

P. S.—IN my monthly inspection of the prison and prisoners yesterday, I was beset by two or three parties, requesting that I would represent to the committee the inadequateness of the dietary as lately established, and which they said would be improved, if I were to do so; some of the principal officers having so informed them. I have therefore to request, (assuming the statement to be correct), that the committee will be pleased to direct these officers to refrain in future from such representations, as they ought to be aware I have no such power as that which they would ascribe to me.

(signed)

A. Copland Hutchison.

N° 6.

APPENDIX
(E.)Copy Extract from Minutes of Committee of General Penitentiary, of 1st and 8th February 1823, and of Medical Officers Report on the case of *William Osband*.Extract from Minutes of the superintending Committee of the General Penitentiary.
1st February 1823.

THERE was read a letter from Mr. Hobhouse, of the Secretary of State's office, requiring to be furnished with a report of the surgeon, whether William Osband, (who was recommended by the committee on the 10th of December last, as an object of royal clemency) is in such a state that his life is likely to be affected by the continuance of his imprisonment.

There was at the same time submitted, a report by the medical officers on his case; which having been considered, it was

Resolved,—That the same be referred back to the medical officers, with a desire that they will confine their remarks entirely to the medical circumstances of the case.

N. B.—The report above alluded to, having been given back to the medical officers, and not returned by them, cannot be produced.

Extract from Minutes of the Superintending Committee of the General Penitentiary.
8th February 1823.

A Report from the medical officers, on the case of William Osband, submitted.

Resolved,—That the same be transmitted to Mr. Hobhouse, for the information of the Secretary of State, as requested by Mr. Hobhouse's letter of the 26th ult.

Copy of the Report on William Osband, referred to in the preceding Minute.

William Osband labours under great emaciation and general debility, apparently arising from mental depression; and it is our opinion, that his life is likely to be affected by the continuance of his imprisonment.

General Penitentiary,
3d February 1823.

(signed) *A. Copland Hutchison, M. D.*
John Pratt, Surgeon.

N° 7.

Letter from the Committee of the General Penitentiary to Dr. Hutchison, 7th April 1823, and of his answer 12th April 1823, on the death of *Harriet Church*; with the report on her death.

Report on the death of Harriet Church.

She was removed to the infirmary on the 1st of February, complaining of violent headache, which continued at times to the 23d March, when she died.

Dr. Hutchison saw her from the commencement. She went off suddenly. On opening the head, we discovered an effusion of water, and the vessels of the head overcharged.

The coroner sat on the 25th March; verdict,—“Died by the visitation of God.” No observations were made either by the coroner or jury.

(signed) *J. Pratt, Surgeon.*

Mr. Pratt must have made a mistake, with regard to a turgid state of the vessels of the brain, in this woman's case.

(signed) *A. Copland Hutchison.*

The Honourable the Committee, &c.

Sir,

General Penitentiary, 7th April 1823.

I AM directed to inform you, that the committee having noticed the remark made by you at the foot of the report on the death of Harriet Church, from which it appears, that you do not concur with Mr. Pratt as to the appearance exhibited upon dissection, are surprized that you should not have expressed any opinion of your own upon the case; and they request that you will furnish them with your own observations, before the next meeting of the committee.

A. Copland Hutchison, M. D.
&c. &c.

I am, Sir, your most obedient servant,
(signed) *Rob. Auld, Sec^r.*

Sir,

Spring-gardens, 12th April 1823.

I HAVE received your letter of the 7th instant, stating that you were “directed to inform me that the committee, having noticed the remark made by me at the foot of the report, upon the death of Harriet Church, from which it appeared that I did not concur with Mr. Pratt as to the appearances exhibited upon dissection; and further, that the committee were surprized that I should not have expressed any opinion of my own upon the case, and desiring that I would do so,” &c.

In

In answer, I beg you will acquaint the committee, that I dissected the brain of Harriet Church myself in the presence of Drs. Roget and Latham, and Messrs. White and Pratt; that in her case there were no marks of turgidity of vessels alluded to in Mr. Pratt's report; but, on the contrary, there was rather a natural appearance than otherwise, and particularly when compared with the appearances exhibited in Peter Mansfield's brain, which I examined on the same day. I merely mentioned, therefore, Mr. Pratt must have made a mistake.

As the dissection did not develop any particular change of structure, disorganization, or other morbid mark, to account for the very sudden manner of the poor woman's death, except a small quantity of water found in the ventricles, I can form no idea whatever of the case, nor can I offer even a probable conjecture as to the cause of her death, excepting it were the small quantity of water above alluded to.

I have the honour to be, Sir,

Your very obedient humble servant,

(signed) *A. Copland Hutchison, M. D.*

Medical Superintendent.

To R. Auld, Esq.
Secretary, &c.

P. S.—I request you will be pleased to take this opportunity of intimating to the committee, that it is my intention to make some remarks on the report of Drs. Latham and Roget, but which I fear I shall not be able to make so correctly as I could wish, unless the committee would grant me permission to have a copy of that document.

(signed) *A. C. H.*

N° 8.

DESCRIPTION of some of the Inferior Officers employed in the different parts of the Penitentiary, for the care and management of the Prisoners.

THE system of regulations in a prison, in which the prisoners are to be confined separately, by day as well as by night, during the first part of their imprisonment, and are then to be brought together in the day-time in small companies, where constant attention is to be paid to their religious instruction and moral habits, and in which the arrangements for these purposes are to be combined with profitable industry, must be in some respects a complicated one, and had never been tried upon a large scale before the establishment of the Penitentiary at Milbank. There are some prisons in this country, in which manufacture has been made productive, and a few where prisoners are kept in separate cells; but in the former, the discipline is far short of that contemplated in the Penitentiary; and in the latter, the attempt to make articles for sale has been attended with very little success, and has, in some instances, been discontinued.

I shall assume, for the present, that in the Penitentiary, discipline is the primary object, to preserve which, a much more strict attendance on the prisoners is necessary upon the part of their officers, than would be required with reference to manufacture. Prisoners may be employed to teach each other to work, or to examine each others work, but we must not intrust to prisoners the charge of controlling their fellow prisoners, or of superintending each others conduct.

To provide, therefore, for the proper management and inspection of the prisoners in the Penitentiary, a much larger establishment of officers has been formed than would be wanted for preventing their escape, or keeping them at work: each of the six pentagons, which compose the prison, has a distinct set of these officers; consisting of a task-master, or task-mistress, an assistant, and a number of turnkeys, equal to the subdivisions or wards of prisoners in the pentagons; each of the four pentagons, occupied by male prisoners, has also a machine keeper, or a miller, to attend to the prisoners of the first class, while employed in raising water or grinding corn for the use of the prison, there being either a water machine or a mill in every such pentagon, at which the prisoners of that description work daily, in different gangs or divisions; but the services of the last-mentioned officers are not required during the whole of the day in the pentagons to which they respectively belong.

The three infirmaries have separate officers, each of those occupied by male prisoners being in the charge of a turnkey, whose duties are confined to this portion of the prison, and that connected with pentagons 3 and 4, (the part of the prison allotted to females) being under the care of two nurses. The kitchens, which are also three in number, each serving two pentagons, are considered as belonging to the pentagons from which they respectively receive the gangs* of prisoners employed in them, who return to sleep in their own pentagons at night. The bake-house receives the prisoners employed in it from pentagon 5, and belongs to that pentagon.

The prisoners confined in each pentagon are distributed into a certain number of wards, each of which is under the care of a turnkey, specially appointed to take charge of it, and who

* It is the practice, instead of selecting a few prisoners from each of the two adjoining pentagons, for the purpose of forming a kitchen gang, to take all those employed in the same kitchen from the same pentagon, in order to prevent the kitchen from being made the channel of communication between the two pentagons.

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who ought not to leave his prisoners, from the time of ringing the first bell in the morning, until they are locked up for the night, except for his meals, or when he takes his wardsman to the kitchen to receive the prisoners' food, or has occasion to go over to the tower, in which the task-master, (his immediate superior) resides, for orders, on some emergency; and even while he is at his meals his ward ought not to be altogether without inspection, for the task-master, or his assistant, (who do not take their meals at the same time with the turnkeys) should occasionally go round the pentagons at such times, and the wooden doors of the cells being then shut, the prisoners can never know that there may not be an officer in the passage listening to their conversation, if they attempt to talk from cell to cell, or observing their conduct in their cells through the inspection holes*. The turnkey has no concern with the prisoners of any ward but his own, nor ought he to pass beyond the task-master's tower during the hours of work; his communications with the chaplain and governor†, and with the officers of the master manufacturer, and the steward, being carried on through the task-master, to whom he makes his reports, and carries his demands for stores, and from whom he receives his directions, and such articles as are wanted, either for the use of the prisoners, (except food, which his wardsman brings from the kitchen,) or for the purposes of manufacture. He is summoned to his meals at the proper hours, by a hand-bell rung by the task-master, who is also to take care that all the turnkeys return to their wards as soon as the time allowed for their meals is expired.

The task-master has an assistant, who supplies his place at the tower whenever he has occasion to be absent from it, either for the purpose of communicating with the superior officers in the hexagon, or of inspecting the different wards of his pentagon, within which he ought to spend a great portion of his time. The assistant was added to the establishment since its commencement, it being found, that every thing must fall into confusion if the tower were ever left without an officer. The rules do not define what part of the task-master's duty shall be performed by the task-master himself, and what by his assistant; but it is expressly directed, that one or other of these officers shall be always in the tower; in fact, the stores supplied by the steward are received by the assistant, and much of the writing in the different books kept at the tower is done by him.

The task-master receives a written report from each of the turnkeys, on the state of his particular ward, on the evening of each day, and reports himself to the governor the substance or material parts of such reports, with any other matter coming under his own observation, at ten o'clock the next morning, in his report book. In cases which appear to require the immediate interference of the governor, the task-master reports without delay; but still enters the circumstances reported on, in his report-book. He has no power to inflict punishment, but if on any emergency it shall appear to him to be expedient immediately to separate any prisoner from the rest, on account of an offence committed, or for any other cause, he may keep him in a cell by himself, (provided such cell be not a dark cell,) until the governor can examine into the circumstances of the case.

The task-masters of the two pentagons which are supplied from the same kitchen, attend it by turns, week about, when the dinners are delivered, for the purpose of seeing that the wardsmen of the two pentagons have no communication with each other, or with the prisoners in the kitchen, and that the provisions are of good quality, and properly served out; and although one of these task-masters has no connection with the kitchen at any other time, (the prisoners there being all taken from one or other of the two pentagons,) yet it is his duty to report to the governor, on all matters of importance which may occur there in his presence.

The task-masters' reports, in general, relate to the trifling repairs wanted in the different pentagons, or to the behaviour of the prisoners; the governor's orders for repairs are now given to the clerk of the works, but when the building shall be completed, they must be sent by him directly to the tradesmen employed by the committee. His orders respecting the prisoners are given to the task-master. When there were only two pentagons inhabited by male prisoners, the governor used to write his orders in the task-master's order book; but a third pentagon having been opened for males, and a fourth being in a state of forwardness, it was thought desirable to save the governor the trouble of writing such orders as might relate to all the pentagons, four times over, by directing, that all his orders for the four task-masters should be written in one book, with figures in the margin, specifying to what pentagon or pentagons every order was intended to apply; and that the task-master of each pentagon should copy out so much as might concern himself; as, however, the governor must sometimes find it convenient, particularly when prisoners are to be punished, to give his orders while he is going round the prison, it is directed, that in such cases he should enter the order himself in the task-master's book, and then write it again in his own general order book, for the purpose of preserving the whole record of his orders complete; and the rule now stands in that form.

The regular examination of the task-masters' reports, and a promptness in giving orders thereupon,

* In the 19th of the late King, it seems to have been intended, that when more than two prisoners should be employed together, an officer should be present to attend to them, see clause 33. This is certainly impracticable, but we approach as nearly as possible to that arrangement, if we order matters so that the prisoners shall be generally under inspection, and shall not know it, when they are not so.

† Of these four superior officers who reside in the hexagon, three are expected to go frequently round the prison, and may therefore be in constant communication with the turnkey; but the steward has no business in any pentagon nor in the kitchen, for the cook or turnkey of the kitchen is to act as a check upon the steward; and to take care, that the articles supplied by him are sufficient in quantity, and good in quality; and the less intercourse, therefore, he has with the steward himself, the better; he receives the provisions through the patrols.

thereupon, are among the most important parts, or I should rather say, form the most important part of the governor's duty. If the governor shall be absent from his office at the regular hour appointed for receiving the task-master's reports, they must leave their report-books in his office, and his opportunity of giving directions at once to the four officers who conduct the business of the four pentagons in the male prison, will not occur again in the course of the day; he will then have to seek out these officers in the several pentagons, and much time will be lost; and if directions shall not be promptly given, but the offences of prisoners reported for misconduct shall be left unnoticed for a day or two, it cannot be expected that the prison should be in good order.

The governor keeps a book, called "The Misconduct Book," in which every report made by a taskmaster, respecting the misbehaviour of prisoners, should be regularly entered, and in this book there is a column for the date of the report, with columns for the several proceedings consequent thereupon. If the misconduct book shall be correctly kept, it will show (among other things) whether the offences of prisoners have been punished as soon as possible after being reported; but if the entries in this book shall be imperfect, or inaccurate, it will only mislead the committee and the visitor, who must in that case examine the taskmasters' report books themselves, and compare them with their order books, to know what has been done.

While the prison is in good order, the reports concerning prisons being few, the governor's duty, as far as relates to them, will not be difficult, and attention and regularity will enable him to dispatch his current business with the taskmasters within a moderate time; but if the daily call of the taskmaster for directions be not duly answered, the prison will soon be in such a state as to take up a great deal of the governor's time, for slight irregularities on the part of the prisoners, not promptly punished, will be repeated, and will generate habits of contumacy and contempt for the inferior officers, which it may be found very difficult to subdue. The governor should not allow himself to be easily diverted from this routine business, nor permit any ordinary occurrence* to prevent his going, as soon as he has seen his taskmasters, to those parts of the prison in which his presence may be required by their reports.

It will tend much to maintain the discipline of the prison, if the governor shall make it a point to see every prisoner, who may be reported for any offence, in the presence of the taskmaster, and shall take every opportunity of giving him consequence among the prisoners. Even when the governor may not think it necessary to inflict punishment on the prisoner reported, or to act in conformity to the taskmaster's opinion, he should not appear before the prisoners to differ from him; and that officer should never on any account be left to learn from a prisoner, that the governor has forgiven his offence. The governor never can expect to have any of the pentagons in his part of the prison in good order, if he has not good taskmasters, and if he does not hold up the authority and importance of those officers very high among the other very inferior officers, as well as among the prisoners. For his knowledge of the state of the infirmaries, of what may be going on in the porter's lodge, and the patrol's room, and of the manner in which the patrols execute their night watches, the governor must depend entirely upon his own inspection and vigilance; but in regard to the proceedings within the pentagons, although he should by no means omit to go round them, and ought frequently to examine some of the cells of the prisoners, and converse with individual prisoners, and should occasionally observe their ways of going on, when they are passing to and from their court-yards, or are first let out in the morning, or are locked up for the night, by contriving to be present unexpectedly among them at such times, yet he must derive a great deal of his information from the taskmasters, and will require, in many cases, to be assisted by their judgment. In truth the governor should treat the taskmasters as sub-governors of their respective pentagons, and consider them as responsible to him for the conduct of the subordinate officers, and of the prisoners. It is not possible for the governor to become minutely acquainted, by his own personal observation, with the behaviour and disposition of 600 male prisoners, and more than 30 officers employed in managing them; but he should be able to observe the conduct of his four taskmasters, and to form a correct opinion of their capacity and integrity; and he should give them his confidence, if they are fit for their situations, and report them to the committee if negligent or incompetent, calling upon them to act in the same manner with respect to the officers under them.

The taskmaster, besides being charged with the duty of seeing that the governor's orders are executed, and of reporting to the governor from time to time on the state of his pentagon, is also the channel, through which all materials for manufacture, sent in by the master manufacturer, and all stores supplied by the steward, (except food, which is sent into the kitchen) are furnished to the turnkeys. Articles supplied by the master manufacturer are delivered by him in the rooms over the kitchens, to which rooms the taskmasters, of the two pentagons adjoining, can bring prisoners with their turnkeys if necessary, to carry away the articles into the different wards. The daily delivery is made at half past nine in the morning, between the end of the turnkeys breakfast, and the time at which the taskmaster

* I do not believe, that strangers often come with a secretary of state's order to see the prison before 12 o'clock at noon, by which time (and generally long before) the governor ought to have been to any part of the prison where his presence may have been required. If, however, a stranger should happen to come before the governor has dispatched his ordinary business, I think he should be authorized to desire the stranger to wait until all necessary directions had been given: perhaps after the prison shall be finished, and all occupied, and when it shall have been ascertained by what hour the governor will usually be at liberty, it may be proper to request the secretary of state to let it appear on the orders of admission, that they should not be used before that time, (say 12 o'clock).

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master is to carry his report to the governor. These articles, which are often heavy and bulky, should be carried to the spot at which the taskmaster is to receive them, over night, or early in the morning; and with a view to this arrangement, the demands made through the taskmaster are sent into the master manufacturer's office by five o'clock on the preceding day. If the articles wanted are not regularly demanded, and punctually delivered, great inconvenience must be felt in the prison; if articles shall be sent to the taskmaster's tower in the middle of the day, because they were not ready at the proper time and place, the taskmaster must be summoned from some other occupation, (probably some occupation within the prisoners wards) to receive them, and see them distributed, and great confusion will ensue; and if, for the purpose of gaining favour with any particular customer, we undertake to execute work in a hurry, and allow it to be sent in after the proper time for delivering it, and to be sent for back from the pentagon as soon as it shall be finished, out of the ordinary course, the arrangements connected with the discipline of the prison will be very much disturbed. It will not be possible for us to carry on a manufactory upon the common principles of manufacture. We must have the materials, which will be wanted in the course of the day, delivered to the taskmaster at the proper time and place, and the work must be regularly taken from the prisoners when completed, and regularly re-delivered to the master manufacturer; and if these peculiarities, which are occasioned by our officers having to inspect the conduct of our prisoners, as well as to supply them with work, operate in some degree to clog and impede the operations of manufacture, and lessen the value of the prisoners labour, we must submit to this diminution of our gains as the necessary result of our prison discipline. It cannot be expected, that our prisoners should be employed with as much pecuniary advantage as workmen whose moral conduct it is not necessary to watch, and who may be permitted to assist each other, and intermix without restraint.

The stores received at the taskmaster's tower from the steward, are demanded in writing, and delivered at the tower by the patroles. Here again it should be observed, that the delivery ought to be complete at the proper time; for if some of the articles required are sent at one time, and some at another, a great increase of trouble must be occasioned to all parties concerned; to the patroles, who carry the stores to the tower; and to the taskmaster or his assistant, who must make entries in their books of the receipt of the articles, and then re-issue them to the turnkeys. Irregularities in the steward's issues, can only arise from his not having a sufficient number of the articles wanted, in store, which must be his fault if he has not laid proper demands before the governor, and the* governor's, if he has not given orders for the stores to be procured, on their being duly demanded. To avoid the necessity of frequent demands upon the steward for articles in common use, the taskmaster is allowed to keep a few of each sort by him, for it would be obviously inconvenient, that he should be under the necessity of going or sending his assistant to the steward as often as a prisoner should break his knife, or his trencher, or discover a hole in his drinking cann.

The taskmaster of the pentagon is also in constant communication with the chaplain and the surgeon, upon the business of their respective departments. He receives from the former, and distributes, under his direction, to the turnkeys, bibles and other religious books, as well as pens, paper, &c. for the use of the schools, and for writing the prisoners letters. He also carries to the chaplain all letters written by prisoners to their friends, and receives† from him such letters sent in by their friends, as, having been first read by the governor, and afterwards by the chaplain, are thought fit to be communicated. He takes the chaplain's directions as to the manner in which the devotional exercises of the prisoners shall be performed, and generally as to all the arrangements connected with their religious or moral instruction, and he is particularly enjoined to communicate to the chaplain any desire expressed by a prisoner to see him, unless the turnkey to whose ward the prisoner belongs, shall have an early opportunity of mentioning the prisoner's request, while the chaplain shall be going round the prison.

He also communicates to the surgeon, when he is going round his pentagon, any information he may receive of a prisoner wishing to see him, or appearing out of health; executes all orders given by the surgeon in writing, for the removal of prisoners to the infirmary, receives prisoners back from the infirmary, and sees that any medicines sent to his tower by the surgeon, for the use of prisoners remaining in their cells in the pentagon, are delivered to the turnkeys of their respective wards‡.

The keepers of the machines for raising water in pentagons 1 and 2, and of the mills for grinding corn in 5 and 6, receive all the prisoners of the first class in each pentagon, from their turnkeys successively, in five gangs (wards D and E being each of them divided into two

* The steward and master manufacturer both attend the governor every morning with their demand books, and it is an important part of the governor's duty to give such orders as may be necessary from time to time, to insure a due supply of all articles wanted in the prison, at reasonable prices.

† The chaplain, however, sometimes delivers a letter to a prisoner in person, in a case in which he wishes to observe the effect produced by the receipt of it, or to communicate respecting it with the prisoner.

‡ It is said in the rules, that the surgeon shall direct the turnkey of the infirmary to remove the prisoner, when recovered, back into the prison, this turnkey, however, only delivers the prisoner to the taskmaster, to be conducted to his proper cell, for the turnkey of the infirmary is not to have access to the different wards of the pentagon. Prisoners are generally removed from the infirmary after dinner; perhaps the most convenient time for such removal will be found to be, as soon as the prisoners in the pentagon are locked up for the night; since, in many cases, there can be no work ready for the prisoner on his return to his cell, and it would be much better that he should continue for a few hours longer than may be necessary, in the infirmary, than that he should remain for the same number of hours idle in the prison.

two gangs, as being double the number of B) attend them while at work, and while walking two and two round the yard, to cool themselves, before their return to their cells, and re-deliver them to their respective turnkeys, who should always take the opportunity of their absence from their wards to inspect their several cells; it is very desirable that the cell of every prisoner should occasionally be examined by his turnkey, the prisoner himself not being present at such examination; and there is no time at which this can be done, in the wards occupied by the prisoners of the first class, except while they are removed from the turnkey's charge. The keepers of the machines, and millers, communicate any instance of misconduct on the part of the prisoners, while under their charge, to the turnkey of the ward to which the prisoners belong, to be entered in his report book, but they report circumstances connected with the state of their machines or mills, directly to the taskmasters of their respective pentagons, through whom they receive their orders and instructions while employed in the pentagons.

The arrangements for the regulation of the part of the Penitentiary, in which female prisoners are confined, are in general similar to those in the portion of the prison occupied by the males, the establishment of officers in the 3d and 4th pentagons being the same as in those already noticed, with the exception of the keepers of the machines, the millers and the baker, to which there are of course no officers corresponding among the females. In each of their pentagons there is a sixth ward, under a separate turnkey, called the laundry ward, the clothes of all the prisoners, both male and female, being washed and mended by the female prisoners; and it being necessary that there should always be a turnkey on duty in every ward, one supernumerary has been added to the establishment for these two pentagons, to fill the place of any officer of that description, who may be incapable of attending her ward from sickness or some other accidental cause, or who may leave the Penitentiary, before her successor shall be ready to take charge of her prisoners. In the other pentagons a patrol would be appointed to this duty, and the place of the patrol would be filled up by one of the labourers employed in the garden, or from the persons on the list of candidates for situations in the prison.

The taskmistresses are furnished with stores and materials for manufacture by the deputy matron, who is supplied with them from the office of the master manufacturer. They make their reports of the state of their respective pentagons to the matron, who herself reports daily to the governor (at half past nine in the forenoon) receiving his orders and instructions in writing, in regard to the punishment to be inflicted for offences committed within the prison, and on such other matters as require the exercise of his authority.

Bolton-street, January 1822.

G. H.

N° 9.

REMARKS upon the Employment of the Prisoners in the PENITENTIARY.

THOUGH I do not profess to have any general knowledge upon the subject of manufacture, the consideration of the manner in which prisoners should be employed in the Penitentiary, is so intimately connected with every part of the system of management to be adopted in this prison, that I shall take the liberty of offering to the committee some remarks upon that head, which have been suggested by my own observation and experience in the prison, and which might not perhaps occur to persons who have not before had occasion to look at manufactures in connection with the other points which demand attention in this establishment.

It is obvious, that all work done by our first class prisoners, must be such as can be executed by a single person, in a cell of the dimensions of ten feet by six; and it is also true, (though this proposition may not be equally evident at first sight with the former), that the prisoners removed from the first class into the second, must in general* pursue the trades in which they were employed before their removal; not only would it be troublesome to put prisoners to a new trade on their advancement into the second class, but it would be inconvenient to carry on different trades in the two classes on another ground; it is often necessary, with a view to the discipline of the prison, to reduce, by way of punishment, to the first class, such prisoners of the second as may have been guilty of serious offences, or as shall set a bad example to their fellow prisoners, in which case it will not unfrequently be also necessary to bring forward a well-behaved prisoner of the first class to make room for the prisoner who is to be reduced; and great embarrassment may arise if the parties so to be interchanged shall be of different trades; if, for instance, one shall be a tailor or a shoemaker, and the other a weaver.

The difficulty, however, of employing prisoners, after their removal into the second class, in the same kind of work at which they have worked in the first, will be greater in proportion to the number of trades carried on by us; the more so, as we have other points to attend to besides the convenience of manufacture, and it may often be inconsistent with the

* I say "in general," because I am aware that it will be convenient to do some kinds of work in the prison, which can only be performed by the second class prisoners, such as carpenters work, turning, and glaziers work for the prison; and possibly some of the operations required for the preparation or completion of articles manufactured in one class, must be carried on in the other. The kitchen also, and bakehouse must be filled with prisoners of the second class, who could only work at trades before their promotion.

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the peace or security of the prison, or with the moral treatment of particular prisoners, to place in the same second class cell, or even in the same ward, those who might work together with most advantage, if the interests of manufacture only were concerned. All our prisoners must go, of course, after half the term of their imprisonment shall have expired, into the second class, if not sooner transferred thither by order of the committee; but as it might not be practicable to find room in the second class wards for every prisoner who must become entitled to such advancement, if we were to wait until such right of removal should have accrued, it has been usual, with a view to the convenience of the prison, as well as for the encouragement of good behaviour among the prisoners, to bring most of them into the second class, before their regular time of promotion arrived; upon every such transfer the committee has to advise with the chaplain and governor, as well as with the master manufacturer, and when the prisoner comes into the second class, it becomes the duty of the governor, (who, unless the committee has given some special order thereupon, directs in what ward and cell, in the same pentagon, the prisoner shall be placed), to consult the chaplain as well as the master manufacturer upon that head; but I am afraid it will not always be practicable to make such arrangements on these points as shall be satisfactory to all parties, and that we shall find it difficult to keep a due proportion of prisoners of each class conveniently employed in several different trades, unless considerations, connected with manufacture, be allowed to have more weight in the promotion of prisoners, and in determining the ward in which particular prisoners shall be placed, than they ought to have.

When the prison was first opened, the committee was desirous of availing itself of the assistance of such prisoners as were able to instruct others in any kind of work, and was also inclined, with a view to the advantage of the prisoners themselves, to employ them in those branches of manufacture in which they had respectively worked before they became prisoners, and might be likely to work again after they should have quitted the prison. Upon these principles we permitted a prisoner, who was skilled in making glass beads, to work at that trade, employing him at the same time to instruct two others. We set another prisoner to make tin cans for the use of the prison, and allowed his brother to have access to him, for the purpose of perfecting him in the manufacture of those articles, and we had at one time several cells filled with prisoners employed in making rugs, under the direction of a fellow prisoner, who was able to give instructions in that branch of manufacture. The blower of glass beads misbehaved, and was reduced to the first class, in consequence of which his scholars were necessarily put to other trades; the tinman's brother abused our confidence, and was of course excluded from the prison; the rug-maker was pardoned, and though sufficient knowledge of rug-making had been acquired in the prison to have enabled us to carry on that manufacture, we would no longer depend upon a relation of the pardoned prisoner, who had hitherto furnished us with work, for continuing to employ us. All these kinds of manufacture, as well as flax-breaking* (which was unprofitable, besides being liable to the objection of filling the prison with dirt and litter,) have been discontinued, and we now confine ourselves, with the exception of a few operations required for the use of the prison, to shoe-making, tailor's work and weaving, on each of which I will make some observations, in regard to the degree in which it appears to me to be an eligible branch of manufacture for the employment of prisoners in the Penitentiary.

The trade of shoe-making does not seem to be a desirable one for us to exercise beyond the making and mending of our own shoes. The shoe-makers knives are formidable instruments† to be placed in the hands of a large body of prisoners, and I once saw a prisoner break the bars of a cell window like glass with his lap-stone. The material of which shoes are composed is costly, and the work liable to be spoiled by a very slight degree of inattention or want of skill; one slip of the knife may occasion more loss in an instant than the prisoner's earnings during a whole week will compensate. It is moreover often very difficult to ascertain correctly, whether the imperfection in the shoe is owing to faulty leather, or to bad workmanship, and in the latter case, whether the workman has injured his work wilfully or by culpable negligence, and ought to pay for the injury, or has only erred from want of skill; and the moral effect of a wrong decision upon a point of this kind is very mischievous‡. Shoes are made in the Penitentiary for government with leather furnished to us for that purpose, and for some schools or charities with leather found by the establishment, (of work for individuals we do very little in this line.) In the former case, very great nicety must be observed to make the articles strictly conformable to pattern or instructions; and in the latter, much judgment is required on the part of the master manufacturer

* I watched the trial of three or four different kinds of machines for breaking flax in the prison, and of a very complicated machine for spinning it into thread, when broken and cleaned from the wood; (the operation of spinning by hand being wholly unproductive) but flax-breaking, besides being ineligible for the reasons mentioned above, is liable to this further objection, that the fibre of the flax when broken, and not steeped in water, retains all its glutinous matter, and the cloth made of the thread spun from it is apt to become loose in its texture, when the gluten is discharged by washing. The Irish, who understand the treatment of flax better than we do, universally condemn this mode of separating its fibre from the wood.

† This observation may seem to be equally applicable to carpenters tools, and to the carving knives in the kitchen; but these are in the hands of a few prisoners only, and those second class prisoners. I doubt, however, whether the carving knives in the kitchen ought not to be the subject of some arrangement—*qu.* might they not be fastened by slight chains to the table?

‡ In a common manufactory it is not so important for the master to ascertain whether work is spoiled by want of skill, or by negligence, for in either case he would probably take the same course and prevent the recurrence of such a question, as far as regards a particular workman, by turning him away; but we cannot do this in the Penitentiary: if such a question should occur repeatedly respecting the same individual, we must decide it as often as it shall arise.

manufacturer in the purchase of the leather. Somewhere or other there has been a great failure in the mode of conducting this branch of our manufacture. I am not prepared to state, to what cause our loss by shoe-making has been owing, but it must have amounted to some hundreds of pounds annually: I showed lately to the committee, that we put much too high a price upon the workmanship, but this alone will not account for the extent of the loss.

Tailor's work is done in the prison for government only, and the cloth is furnished to us in the piece; at first we employed hired journeymen to cut out all the articles required, of late some prisoners have been taught to perform this operation. but I believe a part of the cutting out is still done by persons hired for that purpose; this is an operation of great nicety, for, on the one hand our favour with our employer depends mainly upon our getting the greatest possible number of articles out of a given quantity of cloth, so that the allotment of a fractional part of an inch too much to a garment is a serious mistake, while on the other hand the slightest deficiency from the standard measure will inevitably occasion the rejection of the article, and throw upon us a heavy charge for the materials of which it is composed. The price allowed to us by government for making the military great coats is a very liberal one, and we must undoubtedly gain upon that article after putting a full value upon the earnings of the prisoner; but I suspect that we give credit to the prisoner for a larger sum for his workmanship in some other articles than the price paid to us for these articles will warrant.

The inconveniences attending this branch of our manufacture are, 1. The extreme nicety required in cutting out, as already mentioned, and the risk of loss consequent thereupon. 2. The bulk and weight* of some of the articles, particularly the great coats, the conveyance into a ward of the number of great coats which the prisoners of that ward can make up in a week (the distribution of them into the several cells, the collection and carriage of them to a different part of the prison for the purpose of being inspected, and their final delivery into the care of the master manufacturer, being attended with a great deal of trouble.) And, 3. The frequent occasion there is, in making these great coats, for the use of the tailor's goose, to press down the seams of the work, which renders it necessary, that a prisoner should be constantly running from cell to cell to wait on the other prisoners employed in this work, with that instrument made quite hot, and that he should have constant access to a fire for the purpose of heating it†. It is also a great objection to our making up army clothing on our present plan, that every garment is composed of materials of different kinds which are furnished from a quarter in which we can have no such control as to ensure a regular supply‡; sometimes the kersey for making great coats is sent in, unaccompanied by any materials for the lining or the pockets, or the Russia duck for trowsers comes in without buttons: one consequence of such deficiency in a part of the materials, is, that the garment is partly made, and then taken from the prisoner (it being liable to be damaged in the cell,) and then delivered out again some time afterwards to be completed. We evidently work to great disadvantage, if after a prisoner has half made a great coat, he is to begin a pair of trowsers, and then leaving them imperfect, is to go back to the coat, or perhaps take a third or fourth article in hand, before he can finish the first. The acts of giving out work and taking it back again, are attended with so much intercourse between prisoners, or take up so much of the time of our officers, that the having occasion to repeat these operations in respect to the same article, which would be only troublesome in a common manufactory, is in our prison a very serious inconvenience, being highly injurious to discipline. Another consequence of this mode of performing work is, that the earnings of the prisoners cannot be regularly§ entered in their weekly per centage books, or in our accounts, the price for making the garment being calculated on the complete article.

The making up army clothing is, however, at present, our principal manufacture. It employs female prisoners as well as males, and has, I believe, superseded most other kinds of work in their part of the prison. The other employment there consists chiefly of needle-work done for large shops, and of the manufacture of straw bonnets, but I believe few of these last-mentioned articles have been made by the prisoners for some time past.

Weaving

* A moderate workman will make six military great coats in a week, weighing between five and six pounds each, or about thirty-four pounds in the whole. A weaver will weave from fifty-six to sixty yards of linen cloth in the same time, weighing about fourteen pounds; the difference of twenty pounds in the weight of the work given out and taken back weekly, in the care of a single prisoner, is a very important consideration. If the prisoners of our first class ward, say thirty prisoners, are employed in making great coats, there is a weight of 30 by 34 making 1,020 lbs. (about half a ton of bulky articles) to be given out and taken back in one ward, and then to be carried to a different part of the prison to be inspected, and then to be taken to the master manufacturer's warehouse.

† In the first pentagon there is no provision for a fire in the middle story, except in the turnkeys rooms, to which, therefore, this prisoner has necessarily been admitted, but as this practice has been found very inconvenient, a stove for heating the goose has been contrived on the outside of the turnkeys rooms, in wards D and E, in the passages in the 5 and 6 pentagons; and I have taken the opportunity of the works now in progress in pentagon 2, to direct similar stoves to be placed in that pentagon.

‡ It is not my intention to assert, that we should do better by purchasing these materials ourselves; on the contrary, we should by that arrangement incur much greater inconveniences of another kind than any now experienced. I only mention the inconveniences attending our present system of carrying on tailors work, as circumstances to be taken into the account in comparing tailor's work with other branches of manufacture.

§ While I am writing I learn, that the amount of weekly earnings would, in each of the three male pentagons, have been materially different from that which now stands in the books for last week, if the work actually executed within the week could have been properly brought to account, but that the tailors could not finish their work for want of buttons; I also know that our accounts have, at times, been in arrear for months together, because we have not been able to learn the prices which government would allow for the work sent in.

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Weaving was introduced into the second pentagon a good while ago, on a very small scale, but when No. 1 was opened for the reception of male prisoners in 1820, the weavers were transferred to that pentagon, and we have now a second class ward of prisoners employed there in this branch of manufacture, besides a good many in pentagon 5, employed in the same kind of work. If this operation, viz. that of weaving, could be extended so as to become the principal employment of the prisoners, it would in my opinion be far preferable to any other kind of work. The materials to be sent in are not so large in quantity, where the cloth itself is to be made, as where it is only sent to be converted into articles for use: and the noise of the shuttle not only indicates to the turnkey that the prisoner is at work, but takes away the opportunity of talking from one cell to another or to a fellow prisoner of the second class in the same cell, or even of singing or whistling, for though the song may be no uncommon accompaniment to the hum of the spinning wheel, the clatter of a number of fly shuttles is sufficient to overpower the utmost exertion of the human voice, neither is any opportunity afforded to the weaver of embezzling a part of the materials with which he is intrusted; it is surprising to what an extent the practice of embezzlement has been carried among our shoemakers and tailors: in a search* at which I assisted two or three years ago, large stores of leather were discovered under the stone pavement in some of the cells, and many instances have since occurred of shoes made privately out of leather withheld from the portion of materials given out, while the tailors are constantly cabbaging to make themselves extra pockets, or bags, or some other trifling articles which are not allowed. The evil arising from these practices is not to be measured by the loss occasioned by them to the Penitentiary, or its employer, for every such act is a violation of honesty, and runs counter to the endeavours used in the prison to renew the moral character of the prisoner. I doubt whether there would be room enough in the prison to make all the prisoners weavers; in a first class ward every prisoner may have a loom in his cell, but I am not quite sure that a whole second class ward fitted up with looms and machines for winding thread would contain its full complement of prisoners, the space allotted to the working cells of the second class on the ground floor being less by eight windows, than that occupied by their night cells on the top story†: one cell moreover being required in each of these wards by the turnkey, as a place of deposit for stores and materials; but if one cell, or two at most, were appropriated to tailors or hammock makers in a second class ward, the rest of the prisoners in that ward would find room enough in the remaining cells as weavers and winders.

I am inclined to think, however, after a good deal of consideration, that it will not be advisable to attempt to do any thing in the manufacture of woollen articles, (unless perhaps in weaving serge for our own use;) some of the processes to which woollen cloth is subjected, are of too nice a nature to be intrusted to prisoners; and some, if I am not misinformed, must be continued for more hours, without stopping the work, than will be found in a prisoner's day, which cannot well be prolonged beyond the hour for locking up, and must not, at all events, exceed a certain number of hours.

Nor do I mean to recommend the manufacture of the finer kind of linen cloth, though linen of any texture might be made in the prison with much less difficulty than would attend the manufacture of woollens. There is indeed no absolute want of power to complete linen of any quality in the Penitentiary; linen requires nothing to be done to it after it is taken out of the loom but bleaching and beetling; now arrangements might certainly be made for exposing the cloth to the sun and the air within our walls, and an engine might be contrived to turn by hand, and to operate on the cloth by pressure, with rollers like a mangle‡.

In my judgment, the best employment for the prisoners in the Penitentiary, will be found in the manufacture of common and coarse articles, in which the value of the materials shall bear a small proportion to that of the workmanship, and which requiring but little skill to make them, will not render much instruction necessary; our object is, to employ all our prisoners, and to reward industry rather than ingenuity; and the less assistance our prisoners have occasion to receive, either from their officers or from one another, the better.

A most important question, however, in considering the expediency of extending our concerns in weaving is, how the articles woven are to be disposed of. When I have asked why we have yet made nothing for sale, or at least sold nothing, I have been told, that after we shall have manufactured what we want for our own consumption, we must only work for orders. I understand an order has been lately obtained for a considerable quantity of work, and that we are in hopes of procuring more orders when this is completed, it being considered as too hazardous a mode of carrying on our business, to make articles for sale
at

* The information, upon which this search was undertaken, was contained in a paper addressed to me by one of the worst prisoners within our walls, a circumstance which I mention for the purpose of remarking, that it must not be taken as an axiom in the Penitentiary, that intelligence given by an individual, whose word would not deserve credit in proof of guilt, ought therefore to be wholly disregarded. If we mean to know what is going on among the prisoners, we must follow up much, that we are not prepared to believe, as a clue to further discovery.

† From three of the eight second class wards, however, six or seven prisoners are to be deducted in considering the question of space in the working cells, the bakers and the two sets of cooks remaining in the bake-house and their respective kitchens in the day time. A few feet also are gained in a second class ward by the absence of some of the partition walls which divide the cells in the upper stories.

‡ Linen even of the finest quality requires much less to be done to it after it leaves the loom than is commonly imagined. I have now in use at my house in the country a damask table-cloth and napkins, which were purchased last summer in a brown state out of the loom in Ireland: they have undergone no further process than that of being occasionally laid out upon the grass in the day-time, and of being washed and mangled, and they are nevertheless so white, that an ordinary eye would not observe any difference between them and other damask.

at our own risk. I come now to a part of the subject, upon which I possess neither knowledge nor experience, and where I must, therefore, find my way as well as I can. It may be true, for any thing I know, that we cannot prudently manufacture goods without some previous agreement as to the manner in which they are to be disposed of; but, in that case, I feel confident that we ought to work for government, and not for orders from individuals. If we deal with government, we are at all events sure of our money, and all the risk we incur, if we buy in our materials at a fair price, is the chance of a fall in the market, between the day of our purchase and the time of the sale to government; but the chances of rise and fall during that interval are equal; the fluctuations of the market are likely to operate in our favour as often as against us, and if we supply a certain quantity of any article regularly, the gain and loss, in a given period of any length, will most probably counterbalance each other; if we work for orders from individuals, we must expect at one time to have many orders pouring in upon us, and at another to have few, or none to keep us going; in such cases, the conductor of an ordinary manufactory, accommodates, I presume, the strength he employs to the extent of the demand upon him for exertion; when trade is brisk, and he is pressed for work in a hurry, he takes on additional hands, or employs those commonly in his service, night and day; when there is little doing in the articles which he manufactures, he either reduces the number of his workmen, or employs them fewer hours in the day, or fewer days in the week; but what are we, the managers of a prison, to do in these emergencies? We have no power of suiting our labour to the occasional demand for it; we can neither add to, nor diminish the number of our prisoners, nor can we task their exertions beyond their ordinary rate of work, nor shorten their hours of employment; our motions can neither be accelerated upon any demand for increased activity, nor suspended during a temporary stagnation of trade. Whatever variation shall take place in our strength, will be wholly independent of the state of the markets, or the number of orders we may have received, and we may be deprived of the use of our best workmen, (in consequence of the expiration of their term of imprisonment, or by their becoming entitled through merit* to pardon, or being under punishment for misconduct,) when we have most occasion for their services. The order which would best suit the Penitentiary, would be an order from government, to supply a certain quantity of goods annually, or at stated times, at prices to be fixed with some reference to the price either of the raw material, or of the manufactured article in the market; and I cannot see that such an arrangement would be attended with any loss or inconvenience to government. I am much mistaken, if it would not be better for us, all circumstances considered, to work for government at any price they will give us, than to depend upon individuals for employment; since, if government should at any time give us less than we expected for our goods, we shall have lost nothing but a portion of our earnings; whereas, if we depend upon orders, and orders should not come in, we may not immediately be prepared with other employment, and in that case the prison must be in a state of confusion and disturbance.

The practical conclusion, which appears to me to result from the foregoing statements and remarks, is, that we should employ our male prisoners to most advantage with reference to the various points and considerations adverted to above, if we were to make them all weavers† of some one coarse article used by government in large quantities, such as sacking, coarse sheeting, or sail cloth, keeping only as many tailors and shoe-makers at work as might be necessary to make and mend for ourselves. If government could not engage to take the whole of the manufactured article off our hands, I own I do not see why we should be afraid of taking the chance of the market for a part of it, provided it be a coarse article in common use; and provided also, that we do not over-value our labour in the prison: if we had only yarn of one quality to purchase as the material for our manufacture, we should of course be able to make arrangements for procuring it quite as cheap as it could be got by others, if not cheaper, for requiring a large and regular supply, and being certain pay-masters, we should be very eligible customers. If, however, the produce of the work of all the male prisoners, in any one article, should be thought too great to be either taken by government, or sold on our own account, without loss, (which, however, I do not believe would be the case,) I would then propose, that at least all the prisoners in the same pentagon should weave the same article. I am satisfied, that such an arrangement would introduce a much greater degree of order and regularity into the prison than can prevail there while the manufactures are on their present footing; the duties of the task-master would be much less complicated than they now are, if he had only one trade to superintend, and if he had no other implements and materials than those used in weaving, to hand over from the master manufacturer to the turnkeys, and nothing but the produce of that manufacture to return to him, instead of having, in addition to these articles, a variety of other articles and stores to pass backwards and forwards, between the master manufacturer's office and the pentagon, all of which must be regularly entered in his accounts. If the same kind of work were done all through the pentagon, each turnkey would be competent to

* There is this difference between a manufactory and a penitentiary, which should never be lost sight of, viz. that those who work in the latter are discharged for the very reason which would ensure their continuance in the former; and *vice versa*, the bad workman, whom the manufacturer would get rid of, must remain in the Penitentiary till his term of imprisonment shall have expired.

† This plan could not be extended to the females; the second class wards, in their part of the prison, not being sufficiently spacious to hold looms enough; besides which, a woman, as we know by experience, is not able to put the warp into the loom without assistance from a man; but if the article woven by the males should be such as to require beetling, a mill for that purpose to be turned by the female first class prisoners in each pentagon under similar regulations to those adopted for the water-machines and flour-mills in the pentagons, would be a great improvement in that part of the prison.

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to the management of any of the wards in it; and in the event of the sickness or sudden dismissal of a turnkey, in which case we are obliged to put a patrol in charge of his ward, who in general knows nothing of the manufacture carried on there, the turnkey of the next ward would be able to assist, and give any instruction that might be required; whereas, according to our present arrangements, a ward suddenly deprived of its turnkey, may be thrown into great confusion. We should also, by putting all those of our prisoners who have an opportunity of communicating with each other, upon the same footing, avoid the frequent applications made to us to let prisoners go from one trade to another, and get rid of all the complaints and heart-burnings occasioned by one prisoner having lighter or more profitable work than his neighbour in the same trade, which he seldom fails to attribute to partiality in the turnkey, or in some fellow-prisoner intrusted to give out the work; a charge not always without foundation.

If we could employ all the male prisoners, who should work for customers out of doors, in one branch of manufacture, we should very much simplify the proceedings in the master manufacturer's office, the concerns of whose department are growing much too complicated and extensive. The most difficult part of the master manufacturer's business has of late been carried on by the visitor. Mr. ——— has settled all the arrangements respecting the work done for government, and the order, which has been procured from Manchester for a large quantity of weaving, was obtained by him. He has also given a good deal of instruction as to the manner in which work is to be performed, both to officers and prisoners: but the department of the master manufacturer must be placed upon such a footing, as that he shall be able to carry it on himself; and we must recollect, that neither Mr. White, nor any other person who may fill his situation, can possess the advantages enjoyed by Mr. ——— who, in addition to a long and intimate acquaintance with the business of a general merchant, has very extensive connexions, and great personal consequence and influence in the commercial line.

When Mr. ——— ceases to be visitor, his successor will probably find the care of the discipline of the prison enough to occupy the portion of his attention which he can bestow on the Penitentiary, and a sub-committee must be appointed to watch over the commercial part of our concerns. Of this committee it will be proper that the visitor for the time being should always be a member, that he and that body may not pull different ways; but the other members should be expected to take upon them the greater share of the trouble imposed. This measure has more than once been mentioned, and the adoption of it was prevented, before the late change in the committee, by the want of acting members in the old committee to execute such delegation, rather than by any doubt concerning the propriety of such an arrangement.

It will also be necessary for the committee to furnish the master manufacturer with more precise directions respecting the manner of framing that valuation of the prisoners' earnings, upon which the per-centage is calculated, than those under which he now acts. The work of the prisoners is, by the rules, to be appraised in the first instance by the taskmasters, but their appraisements are to be reviewed, and if necessary, corrected by the master manufacturer, from whom they receive instructions in all points connected with manufacture. It has often been said, and is now taken for granted in all questions on this head, "that we do not require any profit upon our manufacture," but that, after deducting a sufficient sum from the price received for the article made, or the workmanship performed, to cover all those expenses incurred in any particular manufacture, which come under the description of "charges of trade," (including of course the cost of materials, where materials are found by us) we may put down the remainder as the earnings of the prisoner, and give per-centage upon it accordingly. I concur in this position if considered merely as a general principle to guide the discretion of the person appraising, but I should by no means assent to it, if meant as a precise rule to be acted upon in every particular instance; for in that case, 1. No valuation could ever be made, or per-centage entered in the prisoners' books, until we could ascertain the exact sum to be received for the article, or the work, which would be very inconvenient. 2. Very different values would be put upon the work of different prisoners, owing to circumstances by which the prisoners ought not to be affected; for instance, a prisoner employed in the manufacture of shoes, or clothes, or sheets, &c. made for the establishment, and taken at a retail price, would have a much higher value put upon his work than he who should be employed on similar articles to be sent out of the prison to a wholesale customer; and this has actually been the case. 3. The valuation of every kind of work would constantly vary with the fluctuations of prices in the market. Instead of saying that we do not require profit, we should lay down a more correct basis for our valuations, if we were to say, "that we do not mean to incur loss," but must fix such a value on the prisoners' work as we have reason to think we can afford, from which it will follow, (as these matters cannot be reduced to a certainty, and it would be very inconvenient to be frequently altering our rates of value,) that we ought to estimate the earnings of the prisoners at something under the sum, which, added to that taken for charges of trade, would make up the price we expect to receive. It has, indeed, been suggested, as a measure which would place all our prisoners employed in manufacture, as nearly as possible, upon the same footing, and thereby prevent discontent in the prison, that we might value the work in one trade, which is less productive, at a higher rate than the article would bear, provided we under-rated the earnings in a more lucrative trade, so as upon the whole to keep the aggregate of the earnings at the sum which the whole of the work done would justify; but I suspect that the effect of this measure would be to occasion discontent rather than to prevent it; we should not easily convince the prisoners of the reasonableness

reasonableness of thus averaging their labour; nor can I, (to confess the truth) myself, see the justice of such a proceeding. The easiest way of placing all our prisoners, who should be equally industrious, upon the same footing, would be to employ them all in the same branch of manufacture, and it seems to me to be an additional argument in favour of so doing, that it would have that effect.

I am not aware of any objection to this proposal, except its having a tendency to diminish the amount of the prisoners' earnings, which would probably be somewhat greater in the different branches of manufacture, in which they are now engaged, than if they were all employed on one coarse article. Upon this subject we must make up our minds to speak plainly, as to the principles upon which the management of the Penitentiary is to be regulated. I do not hesitate to state it as my opinion, that if the desire of profit is to be suffered to operate without control in the prison, it will soon swallow up all consideration of discipline and religious instruction. The prison will not in that case answer the expectations of the public; and we, who manage it, shall justly incur the reproach (to use the words of an old saying,) of being, penny wise and pound foolish, if, after the erection of an expensive building, for the avowed purpose of confining offenders in a manner likely to produce their amendment, and the formation of a large and costly establishment of officers in furtherance of that object, we shall now depart from this view of the subject, and shall found our schemes for the employment of the prisoners upon a different principle, for the sake of saving a few hundred pounds in their annual cost, by making their labour more productive to that extent, than it would be under arrangements framed in the spirit of the original design of the Penitentiary.

Bolton-street, Jan. 1822.

G. H.

N^o 10.

EXTRACT from the Infirmary Turnkey's Report Book, Pentagon N^o 1.

1823: May 28.—*Charles Thompson* (with several others) reported to the Governor, by order of Mr. Pratt, "for talking to each other while in their respective cells at night, contrary to the regulations of the establishment."

[Mr. HOLFORD delivered in the above paper, and stated—"It has been found to be necessary to check, as much as possible, the practice therein alluded to, not only for the preservation of the good order and discipline of the institution, but for the sake of the sick prisoners, whose rest would be disturbed by it."]

N^o 11.

REPORT of the Physicians on the state of the General Penitentiary at Milbank, 5th April 1823; as ordered by The House of Commons, to be printed, 10th April 1823, N^o 256.

To the Committee of the General Penitentiary at Milbank.

Gentlemen,

IN conformity with the instructions conveyed to us, in your resolution of the 28th of February last, we have visited the Penitentiary daily, since the 1st of March; we have carefully and repeatedly examined, at different times, the state of health of each individual prisoner; we have taken constant charge of the sick in the infirmaries; we have communicated continually with your medical officers, Mr. Hutchison and Mr. Pratt, and frequently with the other officers of the establishment; we have made whatever inquiries seemed requisite to obtain correct information concerning the nature and extent, and the origin and progress of the disease lately prevalent in the Penitentiary, the causes which probably contributed to its production, and the means most expedient for its cure, and most likely to prevent its recurrence; and we have agreed upon the following Report:—

FROM the testimony of the officers of the establishment, and particularly of the matron, it appears, that during the last autumn the general health of the prisoners began visibly to decline. They became pale and languid, and thin and feeble. Those employed in tasks requiring much bodily exertion, were unequal to the same quantity of work as formerly. Those at the mill could grind less corn; those at the pump could raise less water. From time to time several of the laundry women fainted under their work; and the business of the laundry could only be carried on by continually changing the hands engaged in it. Such was the general state of the prisoners throughout the winter.

Still, notwithstanding this remarkable depression of the general health, there appeared among them no manifest signs of any peculiar disease. The number of sick received into the infirmaries, did not much exceed the proportion which, in the winters of former years, it had borne to the total number of prisoners; and their disorders were those commonly incident to cold weather. It was not until the beginning of February, that any marks of

State of the Prison during the winter;

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scurvy were reported by Mr. Hutchison, as having been noticed by him on a few individuals in the infirmaries. And here it may be observed, that these marks are, at their first appearance, peculiarly apt to escape discovery, unless the attention be particularly directed towards them; and that they often exist for a long time, entirely unnoticed by the patient himself. Between the fourteenth of February and the first of March, no less than forty-eight prisoners came into the infirmaries, affected chiefly with diarrhœa and dysentery. The diarrhœa and dysentery were of a peculiar kind, and were suspected to have a connexion with the scorbutic disease. At this time, also, all these various affections were found spreading extensively, but in different degrees of severity, throughout the prison.

and during the first
week in March.

On the 28th of February our assistance was called for; and having learned the facts already detailed, we began our examination of the prison and the infirmaries on the 1st of March. We found the prevailing disease to be the same with that which is known by the name of *sea scurvy*, and which is characterized by livid spots, or blotches of the skin, especially on the lower extremities. Conjoined with the scurvy, in almost every case, there was diarrhœa or dysentery. There were, indeed, a few instances of scurvy without disorder of the bowels; and moreover, numerous instances occurred of diarrhœa and dysentery, where no marks of scurvy had appeared. But still, whether the scurvy subsisted alone, or the diarrhœa or dysentery subsisted alone, or whether they were conjoined in the same individuals, there was found in all those who suffered from either, or from both, the same constitutional derangement, denoted by a sallow countenance, an impaired digestion, diminished muscular strength, a feeble circulation, various degrees of nervous affection, as tremors, cramps, or spasms, and various degrees of mental despondency.

Nature of the pre-
vailing Disease.

These facts seem to lead directly to the belief, that the diarrhœa and dysentery and scurvy, had their origin in the same morbid state of the constitution. In this belief we were more and more confirmed by further observation; and we soon had the means of determining with certainty, that they, in reality, constituted one and the same disease. We examined, by dissection, the bodies of two prisoners who died dysenteric, and found, in various parts of the intestines, the morbid appearances called, in medical language, *ecchymoses*; that is, spots of the same kind as those which on the skin constitute scurvy. We found, in fact, an absolute scurvy of the bowels, of which the diarrhœa or dysentery was only a symptom and consequence.

Its extent.

With regard to the extent of this disease, we found more than one-half of the whole number of prisoners affected by it, in one or other, or in all its forms; but the proportion was not the same among the prisoners of different sexes, or belonging to different classes. The women were affected much more extensively than the men; and of both men and women, the second class, which is composed of those who have been longest in confinement, was affected in a much larger proportion than the first class, which comprises those who have been more recently imprisoned. Of the women, about two-thirds were ill of the disease; of the men, rather less than one-half. Of the women in the first class, one-half were ill: of those in the second class, five-sevenths. Of the men in the first class, above one-third were ill: of those in the second class, rather more than one-half. The exact numbers are stated in the Table subjoined to this Report.

Peculiar Exemptions
from the Disease.

Some striking exemptions require to be noticed. Of the 24 prisoners employed in the kitchens (13 men and 11 women) belonging to the class which had suffered most extensively, all were free from the disease excepting three, one woman and two men. These three had been promoted to the kitchen within four days. It is proper to add, that the officers and servants of the establishment, together with their families, residing within the walls of the prison, and amounting to 106 individuals, were universally exempt from the disease.

Rise and Progress of
the Disease.

We took some pains to ascertain the period at which the disease in question might be considered as having commenced, and the gradations by which it had reached its present extent and aggravation. It appeared reasonable to assume, that whenever upon the feeble and drooping condition observed among the prisoners throughout the winter, diarrhœa or dysentery, or scurvy supervened, then the disease was fully constituted. With respect to the scurvy, it was scarcely possible to assign the exact time at which it commenced, on account of the insidious mode of its attack, and the facility with which it may elude observation on its first appearance. But we have fully satisfied ourselves, that there existed among the female prisoners, a few cases of decided scurvy as early as the month of November. Among the men we cannot trace any instance of scurvy, back to a remoter period than two months. It is certain, however, that it was not until after Christmas that the scurvy had spread very extensively among either sex. About the middle of January, the instances had become numerous among the women; and among the men, about the middle of February; and it continued to increase progressively in both sexes, until the first week in March.

The diarrhœa and dysentery appear, in their origin and progress, to have kept pace with the scorbutic symptoms. Upon inquiry among the prisoners, we found that some of them had been occasionally suffering from diarrhœa before Christmas; but the instances being few, and the cases yielding readily to common remedies, they did not excite any alarm, and were naturally imputed to accidental causes. Under ordinary circumstances, such a conclusion might have been fairly admitted: but considering what the general health of the prisoners then was, and with our knowledge of what has since occurred, we cannot but suspect that

that in some of these instances, the diarrhœa belonged to the same disease, of which it has since been found to constitute the principal and most formidable symptom.

In the course of January, the instances of diarrhœa were too numerous to be attributable to common or accidental causes. But, even then, it had not become matter of general complaint, for it was not attended with much pain, and in most of the sufferers it continued for a short period only, and then ceased: but it renewed its attacks from time to time on the same individual, gradually, though insensibly, impairing his strength. In this manner, through the month of January, many of the prisoners were sustaining a severe injury to their constitution, without being conscious of more than an accidental ailment, and without applying for relief.

Increasing daily in extent and severity, it at length became matter of complaint; and at the latter end of February, diarrhœa and dysentery constituted a large proportion of the cases in the infirmaries. Three deaths from this disease, occurred between the 14th of February and the 1st of March, the day on which we made our first examination of the prison and the infirmaries. In the prison, the disease had reached the extent already mentioned; and in the infirmaries there were 64 patients labouring under the disease, in one or other of its forms.

In inquiring into the causes of the disease in question, we think it right to state our persuasion, that the situation of the prison has not contributed to its production. First, because, if this had been the case, it is reasonable to suppose that the same disease would have occurred in former years; whereas it has never appeared until the present winter. Secondly, had this been the case, the officers of the prison, being equally obnoxious with the prisoners to any injurious influence of situation, could not have been universally exempt, as it appears they have been, from the same disease. Thirdly, because, if the situation of the prison be injurious, it must be presumed to be so in consequence of marsh miasmata arising in its neighbourhood; yet since its establishment, the prison has been altogether free from those diseases which marsh miasmata confessedly engender. Fourthly, because, marsh miasmata always arise during the hot, and never during the cold seasons of the year; and the diseases which they engender belong to the same seasons. Lastly, because, although scurvy and dysentery have undoubtedly been found prevalent in marshy districts, yet when marsh miasmata have produced them, they have been associated with intermittent fevers, and have occurred only at the hot seasons of the year. It may possibly be suspected that the simple dampness of the situation may have contributed something to the disease. But we can state with confidence, that every part of the prison is singularly dry; and that in no cell or passage, on no floor or ceiling, or wall of the prison, have we found the smallest stain or appearance of moisture.

Several circumstances respecting the disease in question, which have been already mentioned, seemed to limit the causes of its production to such as could have had their operation exclusively upon the prisoners, and especially at the present season, and now for the first time. One such cause is found, we conceive, in the diet of the prison. During the last eight months the diet was different from what it had been ever since its establishment. The change which took place in July last, reduced the animal part of the diet almost to nothing. In a soup made of pease or barley, ox heads were boiled, in the proportion of one ox head to 100 male, and one to 120 female prisoners: and we found upon inquiry, that the meat of one ox head weighed, upon an average, eight pounds, which, being divided among a hundred, allows only an ounce and a quarter for each prisoner. This new diet had been continued until the present time; and to it we mainly ascribe the production of the disease in question.

It does, nevertheless, appear to us, that the diet of the prison has not itself alone been productive of the disease, but that it required the concurrence of other causes, of which the severity of the winter was probably the chief. The origin of the disease has been traced to the commencement of the cold weather, and its progress and increase have kept pace with it. There are, moreover, two circumstances which confirm us in the belief, that diet and cold have been concurrent causes. The sufferers were most numerous in that class of prisoners which were most exposed to the influence of cold, from the lower temperature of the cells in which they pass the night: showing, that where both causes most conspicuously concurred, the disease was most extensively produced. Yet those individuals of that class who, sleeping in the same cells and exposed to the same low temperature by night, were employed in the kitchen by day, and had access to richer diet, were universally exempt: showing, that where one cause was withdrawn, the other was of itself inadequate to produce the disease.

Such being the character and extent of the disease in the Penitentiary, and such its most probable causes, we proceeded to adopt those measures for counteracting it, which its own nature and the opinion we entertained of its origin seemed to suggest. We ordered an immediate change in the diet of the prison. In place of pease and barley soup for dinner we substituted a daily allowance of four ounces of flesh meat, and eight ounces of rice daily for each prisoner, and white bread instead of brown: and, as the cheapest and the best antiscorbutic article of diet which could be procured at this season of the year, we ordered three oranges for every prisoner daily, one at each meal.

It is unnecessary to detail the methods of medical treatment employed in the infirmaries.

On our examinations of the prison between the 12th and the 19th of March, we found the general aspect of the prisoners visibly improved. The taskmasters informed us, that they

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Inquiry into the cause of the Disease.
Its independence of the situation of the Prison.

Influence of Diet in its production.

Influence of Cold.

Means employed to counteract the Disease.

Gradual Decline of the Disease.

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were more cheerful, and did more work; and particularly that those employed at the mill could grind one-third more flour. The scorbutic marks had, in almost every case, begun to decline, and in many of the slighter cases had absolutely disappeared.

On our general surveys of the prison between the 31st of March and the 4th of April, we could not find more than fifty individuals of both sexes, on whom any marks of scurvy remained; and on the greater number of these, they were so slight as hardly to be detected.

The diarrhœa and dysentery have, upon the whole, kept pace in their decline with the gradual disappearance of the scorbutic spots. On each of our examinations of the prison, we found them relieved or cured nearly in the same proportion; and, on our last examination, there were not remaining so many as twenty cases of bowel complaints in the whole prison.

State of the Infir-
maries.

It is proper to remark that the diarrhœa and dysentery, being the most formidable part of the disease, was that for which medical treatment was especially required. Therefore, of the prisoners thus affected, we have constantly received as many into the infirmaries as there was room to accommodate, whether their cases were severe or slight. At the period when, as we have stated, the disease was upon the decline, that is, during the last weeks of March, it will be observed that there was a greater number of prisoners in the infirmaries than at the period when the disease in all its forms was at its greatest aggravation and extent, that is, during the first week in March. The truth is, that when we began our attendance, we found only the severer cases of bowel complaints in the infirmaries: but as soon as we had learned by the dissection of two patients who died dysenteric, that the disease tended to produce irreparable organic mischief of the intestines, we thought it right to bring as many cases as possible under strict medical treatment: and moreover, as soon as we had learned in the course of our observations, the great liability of the diarrhœa and dysentery to return, we thought it right to use the greatest possible vigilance over particular cases, during the period of their convalescence. Hence many, in whom we most strongly suspected this proneness to relapse, were still kept in the infirmaries, after the actual symptoms of their disease had disappeared; and a convalescent ward, in addition to the ordinary accommodation of the infirmaries, was opened for their benefit. These are the circumstances that are to be borne in mind, in order to reconcile the apparent inconsistency of the number in the infirmaries being greater, at the very time when the disease in the prison was daily and rapidly declining.

From the 1st of March to the present day, 222 patients have been admitted into the infirmaries, making, with the 110 already there, a total of 332 patients. Of these, eleven have died, six of dysentery, and the remaining five of diseases unconnected with the present disease. At present, the total number of patients in the infirmaries is 101, namely, 64 women and 37 men. Of this number we consider that 36 are convalescent, and exhibit no symptom of disease; and they are retained in the infirmaries only by way of precaution against relapse: 19 only are still suffering the symptoms of the disease; and 46 are affected with other complaints.

Suggestions with
regard to Diet.

It remains for us to fulfil the wishes of the Committee, by suggesting to them some considerations respecting Diet. With regard to the diet of prisoners undergoing punishment for crimes, we presume the object to be, that they should have enough for nourishment and health, and nothing more. How much, and what quality of food will actually suffice for this purpose, can be deduced only from numerous and careful experiments. But no such experiments, as far as we know, have ever been made. There are certainly none upon record, to which we can refer for information. We beg, therefore, that the observations we venture to make, and the recommendations we offer, respecting Diet, may be accepted as the result of the best consideration we can give to the subject, in the absence of positive experiments.

Practically, the main question seems to be, Can animal food be safely excluded from prisons, and particularly from the Penitentiary? We are aware that a large portion of the labouring agricultural population of this country subsists altogether upon vegetable food, and is generally reputed vigorous and healthy; and we admit the justice of the inference, that an exclusively vegetable diet is *generally* wholesome; and we allow, moreover, that to submit those confined in prisons to such a diet, is a justifiable experiment. But still it is merely an experiment; and considering that every circumstance of the present condition and previous habits of those imprisoned for felonious crimes, is as different as possible from the simple condition and simple habits of an agricultural population, we should not be surprized to find that the experiment generally failed. At the Penitentiary there are, we conceive, peculiar obstacles to its success. These consist chiefly in the long periods of confinement, and the great number of prisoners.

To prisoners in a house of correction, whose period of confinement is limited to a few months, little hazard would result from an habitually scanty diet. People may be undernourished for a short time, with impunity; but prisoners who are in the course of a confinement for five, or seven, or ten years (and none are condemned to less in the Penitentiary,) cannot safely be subjected to the same system. Many injurious influences will arise in the course of years, which a few months would not produce. There will be changes and inclemencies of seasons to be provided against, and the heavy pressure of moral circumstances, for which, although they cannot be strictly appreciated, large allowances must be made. The great number of prisoners at the Penitentiary, independently of the contingencies to which they are exposed in the course of a long confinement, renders such an experiment peculiarly hazardous. Restriction to a vegetable diet, or to a diet that is considered just sufficient

sufficient for nourishment and health, requires a constant vigilance over the health of each individual prisoner. Such a vigilance is the only security against the possible evils that may arise. In a prison containing 50 prisoners, a diet even of bread and water may be adopted without hazard; because there the requisite degree of vigilance can be obtained; and the medical superintendent of such a prison would become so familiar with the aspect of individuals, as to see at once the earliest indications of disease in any one of them. But in a prison containing 900 or 1,000 prisoners, the requisite degree of vigilance would be impossible; and for the want of it, a great hazard would be incurred by adopting the same system of diet.

For these reasons, and especially because the diet of the last eight months, in which the animal matter was reduced almost to nothing, has mainly contributed, as we conceive, to produce the present extensive disease, we recommend that, in future, animal food should make a larger part of the diet at the Penitentiary.

Upon the subject of Diet, we recommend :

1st. That half a pound of flesh meat, without bone, be allowed to every prisoner, once a week on Sunday.

2d. That, in addition, half a pound of flesh meat be allowed to every prisoner once a fortnight, on any day that the Committee may think proper.

3d. That white bread should always be given to the prisoners, that is, bread made of the best wheat flour, and free from all impurities.

4th. That the prisoners should have one meal each day entirely of solid food; that is, if they have gruel for breakfast, and gruel for supper, that their dinner should not be of soups or broth; but that, of whatever vegetable or animal substances it consist, they should be given in a solid form.

As to the kind of vegetables suitable for the principal meal of the prisoners, a certain latitude must be allowed, in regard to those which are most easily procured. All the vegetables in common use, are wholesome. Potatoes and rice can be procured at all times; and fortunately, they are the most nutritious.

We recommend, that the present allowance of four ounces of flesh meat, with one orange, daily, be continued to every prisoner for a month: that, afterwards, four ounces of flesh meat be given on alternate days for a fortnight, and that then, if the general state of the prison be healthy, it be put upon the ordinary diet, that shall be determined by the Committee.

In closing our Report, we beg to express our firm conviction that there is now no obstacle to the entire re-establishment of the healthy state of the Penitentiary. We must, nevertheless, add, that for several weeks to come, occasional cases of bowel complaint will probably still be found to arise in the prison; we suggest, therefore, the necessity of great vigilance and frequent inspection, that none of such cases may pass undiscovered; and we recommend, that every case, as soon as it is noticed, be removed to the infirmary, and subjected to the strictest medical treatment. Security against relapse will best be obtained by whatever is calculated to strengthen the constitutions of those who have already suffered, and especially by still employing the means which have hitherto mainly contributed to their recovery. It is with this view that we have recommended the continuance of the present allowance of animal food for another month.

We have examined the accounts which have been transmitted to us from the Secretary of State's office, of the Diet used in different prisons in England, contained in the answers to questions which were sent to the visiting magistrates, on this and other subjects connected with the health of prisoners. But on comparing the different plans of diet detailed in those answers, which have as yet reached us, with the objects and system of the General Penitentiary, we do not conceive that any of them will be at all suitable to that establishment. We have to observe, however, that answers to the above-mentioned questions, have been received only from seven of the prisons that have been written to for information on these subjects.

(signed)

P. M. Latham, M. D.

5th April 1823.

P. M. Roget, M. D.

APPENDIX
(E.)

I.

NUMBERS AFFECTED WITH THE DISEASE.

TABLE of the Number of Prisoners of different denominations, who were labouring under one or other of the forms of the SCORBUTIC DISEASE, in the General Penitentiary, in the beginning of March 1823.

MARCH 1823.		Total Number of Prisoners.	Number ill of the Disease.	Equivalent Number per cent.
MALES	FIRST CLASS - - - - -	309	110	35
	SECOND CLASS - - - - -	222	121	54
	Confined - - under 1 year - - -	173 *	40	23
	- - „ - - between 1 and 2 years - -	156	74	47
	- - „ - - between 2 and 3 years - -	165	91	55
	- - „ - - between 3 and 4 years - -	28	19	68
	- - „ - - above 4 years - - -	9	7	78
	Total MALES - - -	531	231	44
FEMALES	FIRST CLASS - - - - -	94	52	55
	SECOND CLASS - - - - -	233	165	71
	Confined - - under 1 year - - -	37	12	32
	- - „ - - between 1 and 2 years - -	93	65	70
	- - „ - - between 2 and 3 years - -	106	74	70
	- - „ - - between 3 and 4 years - -	68	56	82
	- - „ - - above 4 years - - -	23	10	43
	TOTAL FEMALES - - -	327	217	66
OF BOTH SEXES.	FIRST CLASS - - - - -	403	162	40
	SECOND CLASS - - - - -	455	286	63
	Total PRISONERS - - -	858	448	52

* Of these, 85 had been received into the Prison since the 1st of January, and therefore had been subject for a much shorter time to the influence of the presumed causes of the disease.

II.

APPENDIX
(E.)

NUMBER OF PATIENTS IN THE INFIRMARIES.

TABLE OF THE NUMBER OF PATIENTS IN THE INFIRMARIES,

On every Day since the 1st of January 1823.

January.				February.				March.			
Days.	Males.	Females.	TOTAL.	Days.	Males.	Females.	TOTAL.	Days.	Males.	Females.	TOTAL.
1	17	36	53	1	12	43	50	1	44	66	110
2	18	48	56	2	15	45	60	2	54	72	126
3	19	41	60	3	17	46	63	3	59	77	136
4	20	42	62	4	17	51	68	4	64	81	151
5	17	45	62	5	20	46	66	5	62	80	142
6	19	48	67	6	18	50	68	6	47	73	120
7	22	48	70	7	21	45	66	7	45	64	109
8	21	59	80	8	24	43	67	8	48	65	113
9	20	59	79	9	23	47	70	9	45	54	99
10	20	65	85	10	25	47	72	10	42	58	100
11	21	70	91	11	21	42	63	11	43	52	95
12	18	72	90	12	22	38	60	12	45	51	96
13	19	67	86	13	22	37	59	13	40	50	90
14	19	65	84	14	21	32	53	14	44	54	98
15	15	60	75	15	18	44	62	15	42	54	96
16	17	56	73	16	22	46	68	16	41	59	100
17	16	45	61	17	22	34	56	17	38	52	90
18	16	43	59	18	23	35	58	18	43	57	100
19	16	43	59	19	25	35	60	19	44	60	104
20	19	43	62	20	26	39	65	20	43	69	112
21	19	43	62	21	27	43	70	21	42	65	107
22	21	42	63	22	32	50	82	22	37	59	96
23	22	46	68	23	33	51	84	23	37	59	96
24	19	43	62	24	33	51	84	24	32	56	88
25	17	40	57	25	37	59	96	25	36	57	93
26	19	43	62	26	42	63	105	26	37	58	95
27	19	50	69	27	42	61	106	27	39	61	100
28	18	50	68	28	42	66	108	28	41	63	104
29	14	45	59					29	42	66	108
30	13	44	57					30	40	62	102
31	11	44	55					31	32	55	87

April.

1	33	59	92
2	35	59	94
3	31	60	91
4	35	62	97
5	37	64	101

APPENDIX
(E.)

N° 12.

REPORT by Drs. Latham and Roget, upon the Penitentiary, 4th July 1823.

To the Superintending Committee of the General Penitentiary.

Prisoners under Medical Treatment, 3d of July 1823.

	Men.	Women.	Total.
Stationary - - -	17	22	39
Convalescent - - -	70	37	107
Well - - -	179	83	262
Ill of other diseases - -	8	22	30
Total -	274	164	438

Gentlemen,

IN presenting our report of the present state of the Penitentiary, we must be permitted to accompany it with a few observations.

When we were first engaged at the Penitentiary, it appeared to us important to determine the period at which the diseases we had to treat began to prevail; and for this information we resorted to the testimony of the prisoners themselves. Owing, however, to certain suggestions made to us by others, we were led to distrust the statement of prisoners respecting their own complaints, unless it was confirmed by other circumstances; and thus we were able to trace only a few cases of either diarrhœa or scurvy back to a remoter period than Christmas.

But our greater experience of their conduct and character has led us to give further credit to the prisoners own statements; and from the uniformity and consistency of their testimony, we have no doubt that both diarrhœa and scurvy prevailed most extensively throughout the prison at an early period of the autumn. Not longer than a fortnight after the diet was changed, in July, the disorder of the stomach and bowels began first to show itself. Even in the very month of July a few of the prisoners suffered vomiting and diarrhœa. These (as we judge from the manner in which they occurred) were unquestionably owing to the disagreement of food. They ceased and recurred at intervals. The prisoners themselves thought lightly of them, and did not make them a subject of complaint either then or at a much later period. Hence (as we have observed in a former report) no blame is imputable to the medical officers, that they went for a long time undiscovered.

Nevertheless the fact is certain, and it is no wonder, therefore, that the diarrhœa especially, which had been so long unrestrained by any effectual treatment, should at length have proved an intractable disease, and been protracted by a succession of relapses nearly to the present time. For this complaint (independently of other circumstances connected with it) is, according to the length of its duration, always suspected of being maintained by a disorganization of (what is called) the mucous structure of the bowels.

Such disorganization, in its least and lowest degree, is reparable tardily only, and with difficulty; and in its greater degree, it is altogether irreparable.

In our report to the Committee of the 5th of April, we ascribed the forms of disease then prevalent in the Penitentiary mainly to the influence of diet and cold, and our opinion has been confirmed by that of other physicians who have been consulted upon this point. But many prisoners admitted since the diet, thought to be injurious, has been changed, and since the weather has become milder, have become the subjects of dysentery; and several of the officers of the establishment most employed about the sick have suffered the same disease.

Unquestionably, then, we do believe, that some injurious influence has been in operation, over and above the causes to which the epidemic was originally imputed. This injurious influence may have been present from the first, or it may have been subsequently super-added. Whatever it be, it has hitherto eluded our detection; and, whether it is, or is not in operation at present we cannot tell.

If it consist of contagion (and such possibly may be the case) dysentery will still probably linger in the prison, as long as any remain there who have not suffered it; and then it will entirely disappear. If it consist of something peculiar to the place, or to the season, or to the moral and physical condition of people so confined, it may be still capable of renewing the same disease, or of creating another form of epidemic.

We are aware that the public mind is impatient to be satisfied as to the causes which, from first to last, have produced and maintained the various forms of complaint in the Penitentiary. Upon this subject we wish to dwell for a moment, in order to show that the satisfaction which is sought cannot be obtained.

The causes (the existing causes, as they are called) of diseases are involved in much uncertainty; and when the question is concerning an extensive epidemic, this uncertainty is felt, and confessed to be most painful: still the inquiry into these causes can never be hastily dismissed; for to discover what they are, and to remove them, if they are within our reach, may be essential to the effectual cure of the disease.

With respect to the Penitentiary, then, while we confess that there has been, and still may be, a cause of disease in operation, which we are ignorant of, we are most anxious for

for the Committee to feel convinced, that the fault does not entirely rest with us, that it remains undiscovered, but that the difficulty of detecting it is inherent in the subject itself.

We beg to state, that opinions respecting the causes of diseases are formed, not from the mere observation of one or two things immediately obvious to the senses, but from a cautious investigation of a great variety of circumstances, and from a series of reasoning upon them.

It is obvious that opinions necessarily so formed, are very liable to error; and hence it happens, that no prudent physician ever arrived at conclusions about the causes of a disease, with so certain a conviction that he was right, as not to confess that he might possibly be wrong.

Numerous cases in the Penitentiary, to which we have already alluded, have seemed to us quite inexplicable, except upon the presumption of contagion. The fact may be otherwise; and authorities (we are aware) preponderate against the contagious nature of dysentery: nevertheless, we have not thought ourselves justified in neglecting the practical measures which the facts before us appeared to suggest, until medical opinion is settled upon this point.

We beg to add a few remarks upon the Table just delivered in, which represents the number of prisoners at present under medical treatment.

In this Table the Committee will see with satisfaction, how small a proportion those, who are now suffering the severer symptoms of the disease, bear to those who are convalescent and to those who are well.

Nevertheless, it may appear strange to the Committee, that so many should be still kept under medical observation and treatment, who, as far as health is attested by the absence of all symptoms of disease, are perfectly well: in them, indeed, the disease may be effectually cured, and we trust it is: but the instances of relapse, after many weeks of apparent health, have been too numerous to allow us to dismiss all apprehension concerning them.

How to obtain for those who have already suffered the disease, and are now apparently well, an effectual security against relapse, has become our chief care and anxiety. This security (as it seems to us) can be procured only by guarding them from the influence of all things that are obviously injurious, and by still keeping them in a moderate degree under the influence of the same remedies which have thus succeeded in restoring them to health.

For ourselves we must be allowed to observe, that we have never felt the responsibility of our charge so sensibly as at the present moment. While we were engaged in actively ministering to above 400 sick, we were not at leisure for useless anxieties; but now that we have time to reflect upon our situation, and consider that the public still holds us responsible for the employment of all possible means for protecting this vast establishment against the recurrence of the same terrible visitation, and the invasion of any new epidemic, we cannot refrain from begging of the Committee, that they would be pleased to grant us the benefit of consulting with some physicians of eminence and authority, who may either confirm us in the means we are using, or suggest others more effectual.

We are not disposed to look with despondency upon the state of the Penitentiary. There is one event, however, which, under the most fortunate circumstances, will unquestionably come to pass, and it is proper that the Committee should be informed of it.

If we were sure, that from the present time, all causes would cease to operate for the renewal of the same disease, and for creating any new form of epidemic, and if we were sure, that all who have suffered the disease were henceforward secure against relapse, still we must entertain the confident belief, that among nearly 500 persons who have suffered so long and so severely, complaints peculiarly apt to debilitate the general frame, many will be found, whose restoration to complete health will be tardy, difficult and precarious, and who, in the meantime, will be ready to fall into any diseases to which the constitutions of each may have an original proclivity. Hence, we foresee, that independently of any general or epidemic complaint, there will arise from time to time in the Penitentiary, occasional cases of complicated and anomalous disease: of these cases some may be trivial, but others will be formidable, and a few fatal; and they will be as various in their characters as the constitutions of individuals are various.

We cannot close this Report without thanking the Committee for the uniform kindness and confidence with which they have regarded our labours. We have (we can assure them) most anxiously and scrupulously reviewed all the practical measures we have employed during the prevalence of this most formidable and extensive epidemic. These measures were adapted to emergencies as they arose, with as much care and deliberation as circumstances would allow; yet, upon reflection, we conscientiously affirm, that we discover no error which we desire to palliate or amend, and see no suitable remedy or medical expedient which we have omitted to use; and that, should we again be called upon to treat the same malady, we should only study to retrace our own footsteps, and should employ the same remedies and medical expedients with an increased confidence in their success.

(signed)

P. M. Latham, M. D.

July 4th, 1823.

P. M. Roget, M. D.

N° 13.

APPENDIX
(E.)

EXTRACTS from the Minutes of the Superintending Committee of the General Penitentiary, of 21st and 29th March 1821 ; with Medical Officers Report.

— 1. —

Extract from the Minutes of the Superintending Committee of the General Penitentiary, of the 21st March 1821 ; in regard to the quantity of bread to be allowed to prisoners confined for punishment on bread and water.

Resolved, THAT the medical officers be desired to give in to the Committee, a statement of the quantity of bread, which they may think in general to be sufficient for the sustenance of prisoners, male and female, confined for punishment on bread and water.

— 2. —

Extract from the Minutes of the Superintending Committee of the General Penitentiary, of the 29th March 1821, on the same subject ; with the Medical Officers Report therein alluded to.

IN compliance with the order of the last meeting of the Committee, a report from the medical officers was presented to this meeting, in regard to the quantity of bread sufficient for prisoners under confinement ; and it was

Resolved, THAT prisoners confined in refractory cells, or upon bread and water diet, be allowed one pound of bread per diem only ; subject to alteration, upon the medical officers reporting the necessity of it.

— 3. —

Copy of Medical Officers Report.

Gentlemen,

General Penitentiary, 26 March 1821.

IN answer to the query contained in your order of the 21st instant, we have the honour to acquaint you, that, in our opinion, one pound of bread per diem is quite sufficient for any prisoner confined in the refractory cell for a period of one week ; but should the confinement be protracted beyond this period, we beg to submit, whether any further increased allowance might not, with propriety, be left to the discretion of the medical officers, as the necessity of the case may require : prisoners in such a situation being daily visited by the surgeon.

We have the honour to be, Gentlemen, your most obedient humble servants,

(signed) A. Copland Hutchison, M. D.
Medical Superintendent.

The honourable
The Committee of the General Penitentiary,
&c. &c. &c.

John Pratt, Surgeon.

N° 14.

ACCOUNT of Sums voted for the building of the Penitentiary at Milbank.

The sum total voted by Parliament amounts }	£. 458,000.
altogether to - - - - - }	

N. B.—The works not being yet quite completed, the exact cost cannot be stated, but it will not exceed the sum voted.

N° 15.

AN ACCOUNT of the Gross Expense of the General Penitentiary at Milbank; of the Produce of the Earnings of the Prisoners accruing to the Establishment, and of the Net Expense to the Public; also, of the Number of Convicts who have been Received into it, Discharged from it, and Died in it; with the Number remaining at the end of each Year, and the Average Number for the Year; from the opening of the Institution in June 1816, to the 31st of December 1822.

APPENDIX
(E.)N^o 15.

AN ACCOUNT of the Gross Expense of the General Penitentiary at Milbank; of the Produce of the Earnings of Convicts who have been Received into it, Discharged from it, and Died in it; with the Number remaining at the 31st of December 1822; viz.:

YEARS.	GROSS EXPENSE.	PROFIT by three-fourths of Prisoners Earnings.	NET EXPENSE to the PUBLIC.	Number of CONVICTS received in each Year.		
				Males.	Females.	Total.
	£. s. d.	£. s. d.	£. s. d.			
From 27 June to 31 December 1816	5,199 2 8	93 - 9	5,106 1 11	- -	72	72
„ 1 January to - d° - - 1817	11,884 7 8	732 3 5	11,152 4 3	103	37	140
„ - - d° - - d° - - 1818	11,588 12 9	1,187 16 -	10,400 16 9	17	28	45
„ - - d° - - d° - - 1819	11,901 15 6	1,673 1 5	10,228 14 1	29	88	117
„ - - d° - - d° - - 1820	18,010 3 1	3,045 14 8	14,964 8 5	174	111	285
„ - - d° - - d° - - 1821	20,679 3 1	4,538 11 4	16,140 11 9	149	97	246
„ - - d° - - d° - - 1822	18,336 1 2	4,461 12 -	13,874 9 2	117	46	163

REMARKS:--In the years prior to 1821, the amount of Expense in the above Account does not precisely correspond with the sums stated in the Annual Reports to Parliament, owing to the Books not having been kept with such accuracy as has been observed since, but the difference on all the Accounts does not exceed a few hundred pounds.

Since 1816, three Female and two Male Convicts have been removed to Bethlehem, but as they have all been

General Penitentiary, }
2d July 1823. }

N° 15.

the Prisoners accruing to the Establishment, and of the Net Expense to the Public; also, of the Number of
end of each Year, and the average Number for the Year; from the opening of the Institution in June 1816, to

NUMBER OF CONVICTS Discharged in each Year						Number who have Died in each Year.			Total Number of PRISONERS Discharged and Died in each Year.			Number of PRISONERS remaining in the Penitentiary at the End of each Year.			Average Number of CONVICTS in the Penitentiary during the Year.			
On Expiration of their Term of Imprisonment.		BY PARDON.																
Males	Females.	Total.	Males	Females.	Total.	Males	Females.	Total.	Males	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	72	72	-	64	64
-	-	-	6	1	7	1	3	4	7	4	11	96	105	201	63	88	151	
-	-	-	3	5	8	1	3	4	4	8	12	109	125	234	106	118	224	
-	-	-	11	13	24	1	1	2	12	14	26	126	199	325	115	158	273	
-	7	7	21	18	39	5	7	12	26	32	58	274	278	552	194	233	427	
5	20	35	16	22	38	8	9	17	39	51	90	384	324	708	330	301	631	
7	9	36	11	23	34	10	12	22	48	44	92	453	326	779	416	329	745	

been received back again (with the exception of one, whose term of imprisonment expired while he was there, and who is consequently included in the number of discharged prisoners) no notice has been taken in the above statement of their absence.

Of the Prisoners who have been discharged from the Penitentiary, twenty-six Females and twenty-three Males have received gratuities for good conduct for twelve months, after their leaving the institution, previous to the end of 1822.

Rob' Auld,
Secretary and Accountant.

